

IN THE  
**United States Court of Appeals**  
**FOR THE ELEVENTH CIRCUIT**

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IRA KLEIMAN, as the Personal Representative  
of the ESTATE OF DAVID KLEIMAN,  
*Plaintiff-Appellant,*  
W&K INFO DEFENSE RESEARCH, LLC,  
*Plaintiff,*  
—v.—

CRAIG WRIGHT,  
*Defendant-Appellee.*

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

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**SUPPLEMENTAL APPENDIX**  
**VOLUME X OF XVII**

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1 Kleiman's emails don't reflect this either in a moment.

2 MR. FREEDMAN: Before we do that, though, Ms. Vela,  
3 would you please play clip 33 from Dr. Wright's deposition  
4 about the edits to the Satoshi client?

5 (Video played.)

6 BY MR. FREEDMAN:

7 Q. Dr. Wright, isn't it true that the reason we have not seen  
8 emails between you and Dave discussing Bitcoin in 2007 is  
9 because you don't have all your emails, correct?

10 A. No. That's not correct. It is because the other person,  
11 Dave Kleiman, has not put any forth.

12 MR. FREEDMAN: Counsel, I'm going to the deposition of  
13 Craig Wright on March 16th, 2020, lines 1 -- Page 158, line 17,  
14 through 158, line 20.

15 MS. MCGOVERN: I'm sorry, could you please --

16 MR. FREEDMAN: 158, 17 through 20.

17 MS. MCGOVERN: 158. One second, Your Honor.

18 (Pause in proceedings.)

19 MR. FREEDMAN: 158.

20 MS. MCGOVERN: So I have Page 158. This is the March  
21 16th deposition?

22 MR. FREEDMAN: Yes.

23 MS. MCGOVERN: Okay. Line 17 begins with an answer.

24 MR. FREEDMAN: 16 through 20 -- 17 through 20. Sorry.

25 MS. MCGOVERN: So it's an answer. It begins with an

1 answer? I think that might be incorrect.

2 MR. FREEDMAN: One second.

3 (Pause in proceedings.)

4 MR. FREEDMAN: I'm sorry. Can we have one minute?  
5 We've got conflicting transcripts.

6 THE COURT: Certainly.

7 (Pause in proceedings.)

8 MS. MCGOVERN: Objection, Your Honor. Improper  
9 impeachment. There's a disconnect on our -- the PDFs are  
10 different, but I know what you're reading and we object. We  
11 don't believe this is proper impeachment given the question and  
12 the answer, Your Honor.

13 THE COURT: Do you want to introduce the testimony?

14 MR. FREEDMAN: Yes.

15 THE COURT: Overruled. It's a party. You're  
16 permitted.

17 MR. FREEDMAN: Ms. Vela, can you please play the clip  
18 about the emails from 2007.

19 (Video played.)

20 BY MR. FREEDMAN:

21 Q. Dr. Wright, isn't it true it's not only that you purposely  
22 used communications that did not preserve a record, but you  
23 purposefully tried to wipe out any records that would tie you  
24 to Satoshi Nakamoto?

25 MS. MCGOVERN: Objection, Your Honor. Lack of

1 predicate.

2 THE COURT: Overruled. I'll allow it.

3 THE WITNESS: There are two questions there. Number  
4 one involves the emails where you're trying to impeach me on.  
5 I answered that I deleted some of my emails. That is not the  
6 same as deleting Dave's emails.

7 With an email communication, both people have a copy.  
8 I said I can't put these into court. The recipient would have  
9 those emails. If the recipient had those emails, they can go  
10 into court from the recipient. So asking me a reason why  
11 they're not in court is very simple. The recipient who has  
12 those has not put them in.

13 Now, the second question I answered before, IRC has a  
14 complete log. That will be on Mr. Kleiman's -- Dave Kleiman's  
15 machines. Dave Kleiman had a lot of machines, a lot of drives,  
16 a lot of information. All of that would be there. Yet,  
17 mysteriously it's wiped. Anything that supports my argument is  
18 wiped. Not by me. So I'm sorry. There's a reason why that's  
19 not in court. The drives that had it got mysteriously  
20 overwritten.

21 BY MR. FREEDMAN:

22 Q. Dr. Wright, I'm going to ask you again. Did you  
23 purposefully try to wipe out any records that would tie you to  
24 Satoshi Nakamoto?

25 MS. MCGOVERN: Objection. Asked and answered.

1 THE COURT: Sustained.

2 MR. FREEDMAN: Okay. Ms. Vela, can you please play  
3 clip 35 of Dr. Wright's deposition.

4 (Video played.)

5 BY MR. FREEDMAN:

6 Q. So you did delete them, Dr. Wright?

7 A. No. I attempted to. The Facebook is still there. I tried  
8 to get rid of it. I couldn't. Facebook is horrendously hard  
9 to get rid of. I don't know if anyone's tried deleting  
10 Facebook properly. Facebook does not like people going. My  
11 files are still there. People still have access.

12 Twitter is gone because Jack Dorsey personally kicked me  
13 off, so that's not me deleting it.

14 I did try and delete emails but not corporate ones. So the  
15 company emails were never changed by me. So I tried. There's  
16 a difference between tried and succeeded.

17 Q. Dr. Wright, you did your best to wipe out emails and any  
18 other record that would tie you to being Satoshi Nakamoto;  
19 isn't that true?

20 A. I tried. I failed.

21 Q. Dr. Wright, you did that because you wanted to ensure there  
22 was no record of you being Satoshi left; isn't that correct?

23 A. Not no record, no. That's not correct.

24 MR. FREEDMAN: Ms. Vela, can you please play clip 36  
25 from Dr. Wright's deposition.



1 (Video played.)

2 BY MR. FREEDMAN:

3 Q. Not only did you try to make sure there was no record of  
4 you being Satoshi left, but you asked Dave Kleiman to help you  
5 with that, didn't you?

6 A. Two different events. In 2015, I tried deleting my files.  
7 In 2011, I asked Dave to hold access so you're confounding two  
8 events again. 2011. 2015. Not the same thing. Sorry.

9 Q. Dr. Wright, isn't it true that the reason Dave Kleiman was  
10 willing to help you wipe out anything that had to do with  
11 Satoshi was because he was your friend and he was willing to  
12 help you get rid of all the past?

13 A. No. He was not getting rid of all the past. He was my  
14 friend. He was my best friend. But -- and, yes, he wanted to  
15 help me as much as he can.

16 MR. FREEDMAN: Ms. Vela, can you please play clip  
17 number 99 from Dr. Wright's deposition?

18 (Video played.)

19 BY MR. FREEDMAN:

20 Q. Dr. Wright, the reason Dave Kleiman doesn't have emails is  
21 because you asked him to get rid of all of the past and he was  
22 your best friend and he did it; isn't that correct?

23 A. Not even close. The reason Dave Kleiman doesn't have  
24 emails is because someone wiped them. That communication with  
25 all the past is nothing to do with Dave Kleiman. Dave didn't

1 wipe a thing. And you're, again, confounding my words.

2 MR. FREEDMAN: Ms. Vela, can we please bring up  
3 D359 -- in one minute, actually. Hold that for me.

4 BY MR. FREEDMAN:

5 Q. Dr. Wright, you coauthored a paper with Dave Kleiman about  
6 wiping hard drives, did you not?

7 A. I did.

8 MR. FREEDMAN: Ms. Vela, can you please bring up D359.  
9 Just the witness and counsel.

10 BY MR. FREEDMAN:

11 Q. This is an email from yourself to Dave Kleiman --

12 MR. FREEDMAN: Is this in evidence?

13 THE WITNESS: Yes.

14 MR. FREEDMAN: Sorry, Dr. Wright. Hold on one second.  
15 I just want to make sure.

16 THE COURT: Hold on. Let me just verify for you.

17 MR. FREEDMAN: It is?

18 MS. MCGOVERN: No. No. We don't have it admitted,  
19 no.

20 THE COURT: 359 is not in evidence.

21 BY MR. FREEDMAN:

22 Q. Dr. Wright, do you recognize this as an email from yourself  
23 to Dave Kleiman?

24 A. I do.

25 Q. And it attaches the "Overwriting Hard Drive Data Document"?

1 MR. FREEDMAN: Ms. Vela, can you go to the next page  
2 for Dr. Wright.

3 THE WITNESS: It appears to, yes.

4 MR. FREEDMAN: Your Honor, Plaintiffs offer D539 into  
5 evidence.

6 MR. RIVERO: Judge, if I may, we have it as  
7 admitted --

8 THE COURT: I'm sorry, could we have the one attorney?  
9 Ms. McGovern?

10 MR. RIVERO: Your Honor, I just wanted to clarify the  
11 record and I know it's Ms. -- we have it recorded as admitted  
12 and I wanted to make sure. We believe it was admitted with Ira  
13 Kleiman. So I just wanted the record to be correct. But  
14 that's our records. We may be incorrect, Judge. Maybe we can  
15 clarify this later.

16 THE COURT: 359. The record will bear it out, but it  
17 is now in evidence. 359.

18 (Defendant's Exhibit 359 previously received into  
19 evidence.)

20 MR. FREEDMAN: Can we publish that.

21 Thank you.

22 Go to the next page, please.

23 BY MR. FREEDMAN:

24 Q. "Overwriting Hard Drive Data: The Great Wiping  
25 Controversy." Do you see that, Dr. Wright?

1 A. I do.

2 Q. You coauthored this paper about how to wipe hard drives  
3 with Dave Kleiman.

4 A. It's not actually about how to wipe hard drives. It states  
5 that the fallacy that people were saying, like Professor  
6 Gutmann, that you need to wipe 35 times to delete data, were  
7 false.

8 Q. It actually takes less than that to wipe a hard drive,  
9 right?

10 A. It takes a single overwrite of the entire hard drive to  
11 wipe the entire hard drive.

12 Q. So you and Dave Kleiman literally wrote the paper on what  
13 it takes to completely destroy digital data?

14 A. That's not how I'd put it, but I wrote the seminal paper on  
15 overwriting of hard drives, yes.

16 MR. FREEDMAN: Ms. Vela, can you take that down and  
17 please put up P331. Sorry, P333. P333. A lot of 3s. Just  
18 for counsel and the witness.

19 BY MR. FREEDMAN:

20 Q. Dr. Wright, do you recognize this as an email chain between  
21 yourself and Robert MacGregor?

22 MR. FREEDMAN: Can you scroll down, please.

23 THE WITNESS: Yes, I do.

24 BY MR. FREEDMAN:

25 Q. And do you see in --

1 MR. FREEDMAN: Ms. Vela, can you zoom in to the March  
2 31st email from Dr. Wright at the top.

3 No. No. Right there. You're in it. That one.

4 No. No. Just the 31st email.

5 BY MR. FREEDMAN:

6 Q. Do you see you talk about original emails and what you did  
7 with them?

8 A. There's nothing about what I did with them, sorry.

9 MR. FREEDMAN: Your Honor, Plaintiffs offer P333 into  
10 evidence.

11 MS. MCGOVERN: No objection.

12 THE COURT: Admitted into evidence.

13 (Plaintiffs' Exhibit 333 received into evidence.)

14 MR. FREEDMAN: Ms. Vela, can you zoom back in to that  
15 email from Dr. Wright.

16 BY MR. FREEDMAN:

17 Q. Dr. Wright, that is an email from yourself on March 31st,  
18 2016 to Robert MacGregor and in the second paragraph you say:  
19 "As for original emails." It's entitled "London," Dr. Wright.

20 Do you see that the subject is London?

21 A. I do.

22 Q. And it says in 2016 -- this is when you were coming out to  
23 the world as Satoshi Nakamoto, right?

24 A. No.

25 Q. And you're responding to a question and you say: "As for

1 original emails, there is little I maintained."

2 Do you see that?

3 A. I do.

4 Q. "As I have stated, it was never even a side plan to  
5 return."

6 You meant as Satoshi Nakamoto, did you not?

7 A. That's correct.

8 Q. "I know we discussed it in general, but it is over five  
9 years." Do you see that, Dr. Wright?

10 A. Yes.

11 Q. You maintained little of the original communications,  
12 didn't you?

13 A. I maintained little of anything. So ...

14 Q. And, Dr. Wright, beyond not preserving and deleting, isn't  
15 it true --

16 MS. MCGOVERN: Objection. There's nothing in the  
17 record that establishes the non-preservation, Your Honor. I  
18 object to that statement.

19 THE COURT: To the question as worded, sustained.

20 Rephrase, please.

21 BY MR. FREEDMAN:

22 Q. Dr. Wright, we saw a -- your sworn deposition testimony  
23 that Dave Kleiman helped you wipe the past. Do you recall  
24 that?

25 A. That's not what my testimony was.

1 Q. And, Dr. Wright --

2 A. You're misstating it --

3 Q. Dr. Wright --

4 A. -- again.

5 Q. -- in addition to that, isn't it true that you did all you  
6 could to hide and suppress information concerning the  
7 development of Bitcoin itself?

8 A. No. I actually approached the government multiple times.  
9 In March of 2009, I approached them. I filed a research and  
10 development grant for two of my companies in Australia in June  
11 2009, on the 30th.

12 In August, a company that I set up with venture capital  
13 funding -- I don't know if you know what venture capital is,  
14 but it's -- we had round A funding where a venture capital  
15 party gave us money to build equipment we were doing and  
16 servers and software to do with systems I wanted to do with  
17 Bitcoin.

18 That was from a company called Greyfog. The venture  
19 capitalists, of course, ordered all the software. The  
20 Australian Tax Office then had that filed. In 2010, we filed  
21 with the tax office.

22 We did AusIndustry. We did reports with KPMG. KPMG were  
23 our auditors. We had a full audit team at partner level.  
24 Deloitte were partly auditing. And Ernst & Young were our  
25 internal auditors, but we had two Big Four firms that audited

1 all the research and development.

2 The auditors at KPMG knew who we were. The auditors at  
3 Ernst & Young knew who we were. The three branches of the tax  
4 office knew who we were. AusIndustry knew who we were.

5 I was filing for banking charter. You see, I wanted to  
6 make, I guess you would say, a global commercial banking  
7 system. So -- where I could actually do things like having  
8 remittance from people in poor areas. Like imagine the  
9 corridor between South America and the cost right now. It's  
10 huge. So imagine we could make it for a tenth of a cent for  
11 people to send back money across from South America to here.  
12 It will change everything.

13 So I need a banking charter for that so I had to go to the  
14 AUSTRAC people in Australia. They knew. You can't file a  
15 banking charter and be secret. So, I mean, how is that secret?  
16 If you can tell me how any of that is secret, then I'll admit  
17 it's secret.

18 MR. FREEDMAN: Ms. Vela, please bring up P439. Let's  
19 go to Page 1 so we can show the jury that we are looking at the  
20 book Dr. Wright published, Craig Wright, "Satoshi's Vision:  
21 The Art of Bitcoin," and please bring us now to Page 30.

22 Ms. Vela, can you go to the third paragraph from the  
23 bottom and can you highlight the sentence that starts: "I did  
24 all I could to hide and suppress information concerning the  
25 development of Bitcoin."



1 BY MR. FREEDMAN:

2 Q. Do you see that, Dr. Wright?

3 A. I see that.

4 MR. FREEDMAN: Ms. Vela, can you zoom out, please?

5 Go to the next paragraph -- sorry, Ms. Vela. Hold on  
6 one second.

7 BY MR. FREEDMAN:

8 Q. Dr. Wright, isn't it true that you also did everything you  
9 could to muddy the waters around the creation of Bitcoin?

10 A. No. But I tried to make sure that no one found me.

11 MR. FREEDMAN: Ms. Vela, can you go to the next page,  
12 please. This time, third paragraph from the -- thank you.

13 BY MR. FREEDMAN:

14 Q. "I did all I could to muddy the waters. I did all I could  
15 to stay private."

16 Do you see that, Dr. Wright?

17 A. I see, again, you're confounding the difference between  
18 private information shared with governments under restricted  
19 covenants and the difference to being in the media. I did not  
20 want to be in the media. I did not want to be on TV. There's  
21 a big difference.

22 MR. FREEDMAN: Thank you, Ms. Vela. Can you take that  
23 down, please.

24 BY MR. FREEDMAN:

25 Q. Dr. Wright, I'd like to leave that topic for now on the

1 emails between you and Dave Kleiman, and move into the amount  
2 of Bitcoin that the Plaintiffs allege you and Dave Kleiman  
3 mined, okay?

4 A. That's okay by me.

5 Q. First of all, Dr. Wright, do you recall Mr. O'Hagan's  
6 testimony that you told him that the Satoshi horde is around  
7 one million Bitcoin?

8 A. I know what he said, yes.

9 Q. And, Dr. Wright, we've seen that you told the ATO that you  
10 and Dave mined Bitcoin into trusts, correct?

11 A. No, that again is not correct.

12 Q. Dr. Wright, those trusts contained approximately  
13 1.1 million Bitcoin in them, did they not?

14 A. One trust had -- well, the trust had companies and the  
15 companies had Bitcoin. So I'm going to -- I'm sorry if I'm  
16 being pedantic, but the trust didn't own Bitcoin. The company  
17 did.

18 MR. FREEDMAN: Ms. Vela, can you please bring up P172.

19 I believe this is in evidence. Is this in evidence?

20 Ms. Vela, can you publish to the jury, please?

21 BY MR. FREEDMAN:

22 Q. Dr. Wright, we're looking at the Australian Tax Office  
23 transcript from your August 11th, 2014 meeting.

24 MR. FREEDMAN: Ms. Vela, can you take us to Page 10,  
25 please.

1 BY MR. FREEDMAN:

2 Q. On line 17, Dr. Wright --

3 MR. FREEDMAN: Can we zoom in please, Ms. Vela.

4 BY MR. FREEDMAN:

5 Q. You say: "At the start of this, we had 1.1 million  
6 Bitcoin."

7 MR. FREEDMAN: Ms. Vela, can you highlight that, line  
8 17?

9 Thank you.

10 BY MR. FREEDMAN:

11 Q. Do you see that, Dr. Wright? "At the start of this, we had  
12 1.1 million Bitcoin"?

13 A. I can see the line.

14 Q. Dr. Wright, just above that on line maybe 13 you say: "By  
15 the time we started looking at actually capitalizing that and  
16 around Dave's death."

17 Do you see that?

18 A. I can see that.

19 MR. FREEDMAN: Ms. Vela, can we scroll out a little  
20 bit and let's go to line 27. Let's just do the whole from the  
21 first highlight all the way down to the bottom so we can read  
22 it.

23 No. No. From the first highlight.

24 Thank you.

25

1 BY MR. FREEDMAN:

2 Q. Dr. Wright, you say: "At the start of this we had  
3 1.1 million Bitcoin." You're talking about Dave right above  
4 that. Then there's a little bit of a back-and-forth between  
5 Mr. O'Mahoney of the ATO, yourself and your attorney, Andrew  
6 Sommer, and you -- at line 23, Mr. Sommer says: "But did Coin  
7 Ex have 1.1 million Bitcoin?"

8 And Mr. O'Mahoney says: "No." Mr. Sommer says: "Right.  
9 Greg -- Greg, you need to be precise with your answers about --  
10 is Greg asking about Coin X.?"

11 And then you respond: "No. The trust had available  
12 Bitcoin."

13 Do you see that?

14 A. I can see the text, yes.

15 Q. So, Dr. Wright, when you say: "At the start of this, we  
16 had 1.1 million Bitcoin," you're talking about the trust you  
17 had with Dave Kleiman; isn't that correct?

18 A. No. Actually, what you're forgetting is that we had a  
19 forensic exercise and accountants come in and they discredited  
20 the ATO documents. It turned out, and we demonstrated this  
21 with forensic accountants, that the tax office had actually  
22 fraudulently changed documents.

23 There was actually an investigation, and the tax office was  
24 shown to have altered emails, altered files, and put in false  
25 testimony. They wanted to bankrupt me, first of all. They

1 wanted to kill my companies. They wanted to destroy Bitcoin.  
2 So this document is a false document.

3 Q. That's quite a claim, Dr. Wright.

4 A. No, it's actually not. It's actually public knowledge.

5 Q. If you would let me finish my question.

6 That's quite a claim, Dr. Wright. Is it your testimony  
7 today that the Australian Taxation Office forged documents  
8 because they were out to get you?

9 A. No. My testimony is what was found was there was a  
10 security vulnerability reported by the tax office. The tax  
11 office noted that one of their servers was breached. The tax  
12 office said: "It couldn't have been us." And there was a  
13 breach in the tax office servers, so someone must have done it.

14 My belief, whether it was someone in the tax office, was  
15 very simply justified by a claim by the tax office going: "Oh,  
16 well, it's this third party probably broke in, not us."

17 So my testimony is very simple. I've got the report too.  
18 You would have received it.

19 Q. Dr. Wright, I am going -- I am going to ask you to prove  
20 that this, in fact, happened. Because at closing, I will ask  
21 the jury if they saw that proof. You will not prove this  
22 happened, Dr. Wright; isn't that true?

23 MS. MCGOVERN: Objection, Your Honor.

24 THE COURT: The objection is sustained as worded.

25 Rephrase.

1 THE WITNESS: I am going to --

2 THE COURT: There's no question pending.

3 MS. MCGOVERN: Objection. There's no question  
4 pending.

5 MR. FREEDMAN: There's no question pending,  
6 Dr. Wright.

7 BY MR. FREEDMAN:

8 Q. Dr. Wright, later in this interview with the Australian Tax  
9 Office, you said the same thing, that the trusts had  
10 1.1 million Bitcoin in them, did you not?

11 A. Did not.

12 MR. FREEDMAN: Ms. Vela, can you please bring us to  
13 Page 18 -- Page 19 of the PDF. And can you please -- thank  
14 you.

15 BY MR. FREEDMAN:

16 Q. Mr. O'Mahoney of the Australian Taxation Office:

17 "Dr. Wright, How many Bitcoin were there?

18 "Wright: That I had a loan of or --

19 "Mr. O'Mahoney: No. That were part of this pot.

20 "Wright: The entire pot?

21 "O'Mahoney: Yes.

22 "Wright: 1.1 million."

23 Do you see that Dr. Wright?

24 A. I can see this line, yes.

25 MR. FREEDMAN: Ms. Vela, can you bring us to the --

1 can you zoom out for a moment and can you bring us to the  
2 previous page.

3 And can you zoom in right there.

4 BY MR. FREEDMAN:

5 Q. And here, Dr. Wright, on line 31 Mr. O'Mahoney asks you:  
6 Where did that pot of Bitcoin sit?

7 Do you see that?

8 A. I can see the line.

9 Q. And you say: "In the Seychelles."

10 Do you see that?

11 A. I can see the line.

12 Q. So, Dr. Wright --

13 MR. FREEDMAN: Ms. Vela, can you put that next to the  
14 line -- the page we were just looking at, the next. Page? And  
15 the line 15. And can you highlight: "The entire pot."

16 Yeah. Thank you.

17 BY MR. FREEDMAN:

18 Q. So, Dr. Wright, here you say the pot is 1.1 million Bitcoin  
19 and on the left you said that pot sat in the Seychelles, right.

20 A. No.

21 Q. Okay. And, Dr. Wright --

22 MR. FREEDMAN: Ms. Vela, you can take that down.

23 BY MR. FREEDMAN:

24 Q. So the Seychelles trust, Dr. Wright, had 1.1 million  
25 Bitcoin in it; isn't that correct?

1 A. No.

2 Q. Dr. Wright, isn't that the same Seychelles trust that you  
3 said contained assets from Dave Kleiman?

4 A. No.

5 Q. Well, let's look at what you told the Australian government  
6 the following week.

7 MR. FREEDMAN: Ms. Vela, please bring up P173.

8 BY MR. FREEDMAN:

9 Q. This is the next week, Dr. Wright.

10 MR. FREEDMAN: Can we publish this?

11 Thank you.

12 BY MR. FREEDMAN:

13 Q. This is Monday, 18th of August, 2014. Again, an Australian  
14 Taxation Office interview.

15 MR. FREEDMAN: And, Ms. Vela, can you please bring us  
16 to Page 6 and 7. Let's put them side by side, please.

17 And in Page 6, Ms. Vela, can we please highlight where  
18 it says: "Was it your decision to set it up in the  
19 jurisdiction of the Seychelles?"

20 Yes, Dr. Wright answers.

21 And then, Ms. Vela, on the next page as we're  
22 continuing down the interview can we -- yeah. Thank you.  
23 Found it faster than me.

24 BY MR. FREEDMAN:

25 Q. So, on the left-hand side, Dr. Wright, you tell the



1 Australian Tax Office in response to: "Was it your decision to  
2 set up in the jurisdiction of the Seychelles" -- you say:  
3 "Yes."

4 And then, Dr. Wright, on the right-hand side Mr. O'Mahoney  
5 says: "So how did it come to be? Are all the assets of the  
6 trust -- were they originally sourced from you?" And you say:  
7 "And Dave."

8 And he asks you: "And Dave?" And you say: "Yes."

9 Do you see that exchange, Dr. Wright?

10 A. I see the text that you're presenting, yes.

11 Q. So you told the Australian government that the Seychelles  
12 trust had 1.1 million Bitcoin and that the trust assets came  
13 from Dave Kleiman, didn't you?

14 A. No.

15 MR. FREEDMAN: Ms. Vela, you can take that down.

16 BY MR. FREEDMAN:

17 Q. Dr. Wright, you're aware that in this case the Plaintiffs  
18 are seeking half of the Satoshi 1.1 million, correct?

19 A. Well, it seems to be all over the place. But at times,  
20 yes.

21 Q. It's about 550,000 Bitcoin, correct?

22 A. No.

23 Q. Dr. Wright, haven't you, yourself, admitted -- putting  
24 aside our claim -- haven't you, yourself, admitted that at a  
25 minimum, 300,000 Bitcoin in the trust belonged to Dave's

1 estate?

2 MS. MCGOVERN: Objection. Objection. Foundation.

3 THE COURT: Overruled.

4 THE WITNESS: No.

5 MR. FREEDMAN: Ms. Vela, can you please bring up P129.

6 Can you zoom in there down to -- no, no, down to the

7 Ira.

8 Thank you.

9 THE COURT: All right. P29 -- 129 is not in evidence.

10 MR. FREEDMAN: Not yet, nope.

11 BY MR. FREEDMAN:

12 Q. Dr. Wright, do you recognize this as an email between  
13 yourself and Mr. Kleiman?

14 A. I do.

15 Q. And in this email, Mr. Kleiman is asking you about Bitcoin  
16 and trusts. Do you see that?

17 A. I do.

18 MR. FREEDMAN: Your Honor, Plaintiffs offer P129 into  
19 evidence.

20 MS. MCGOVERN: No objection.

21 THE COURT: Admitted into evidence.

22 (Plaintiff's Exhibit 129 received into evidence.)

23 MR. FREEDMAN: Can we publish, please?

24 BY MR. FREEDMAN:

25 Q. Dr. Wright, this is March 2nd, 2014. Do you see that?

1 A. Yes.

2 Q. It's less than a month after you first contact the Kleimans  
3 to let them know about Dave Kleiman's part in history, correct?

4 A. Yes.

5 Q. And, Dr. Wright, Ira Kleiman writes you an email. He says:  
6 "Just to clarify on thoughts from previous email. One of the  
7 email exchanges between Dave and you, he mentioned that you had  
8 1 million Bitcoins in the trust."

9 You see that?

10 A. I see it.

11 Q. "And since you said he has 300,000 as his part, I was  
12 figuring the other 700,000 is yours; is that correct?"

13 Dr. Wright, let's look at your response. You respond that  
14 same day -- or it's Australia, so it's the day before, but it's  
15 the same day and you say: "Around that minus what was needed  
16 for the company's use."

17 Do you see that, Dr. Wright?

18 A. That's the day after.

19 Q. Dr. Wright, do you see the email where you respond to Ira's  
20 questions that you have 700,000, Dave has 300,000 and you  
21 conceded -- you say: "Around that"?

22 A. I did not concede.

23 Q. Dr. Wright, this email also confirms that the trust's  
24 1.1 million Bitcoin was sourced from you and Dave, does it not?

25 A. No, it does not.

1 Q. Dr. Wright, isn't it true that in this litigation you were  
2 ordered to produce a list of the Bitcoin you claimed you mined  
3 before December 31st, 2013?

4 A. If I had them and I could get them, I would get them.

5 Q. Were you ordered to produce a list of the Bitcoin you mined  
6 before December 31st, 2013?

7 A. Technically, a list of what I mined, not my company, is a  
8 list of the first 50 Bitcoin, so that's all that is.

9 Q. Did you not understand my question?

10 A. I did.

11 Q. I asked you, Dr. Wright, did you -- were you ordered to  
12 produce a list of the Bitcoin you mined before December 31st,  
13 2013?

14 A. I do not remember the exact words of the order.

15 MR. FREEDMAN: Ms. Vela, to the witness and counsel,  
16 can you please bring up Docket Entry 212.

17 BY MR. FREEDMAN:

18 Q. Dr. Wright, please review the Court's order on the screen  
19 and let me know if this refreshes your recollection on what you  
20 were ordered to do.

21 A. I do.

22 Q. Can you now testify that you were ordered in this  
23 litigation to produce a list of your Bitcoin that you mined  
24 before December 31st, 2013?

25 A. Yes.

1 Q. You were, weren't you?

2 A. Yes.

3 Q. And you eventually produced such a list that you claimed  
4 were your Bitcoin; isn't that correct, Dr. Wright?

5 A. That is not correct.

6 MR. FREEDMAN: Ms. Vela, can you please put up P554  
7 for just the witness and counsel.

8 BY MR. FREEDMAN:

9 Q. Do you recognize this exhibit, Dr. Wright?

10 A. It looks like a file that I forwarded.

11 Q. Dr. Wright, is this the list you provided in response to  
12 the Court's order?

13 A. I responded with everything I received. The original list  
14 that I gave of only the first 15 addresses is the -- basically  
15 what I mined as me, so I've done both.

16 Blocks 1 to 15 are the addresses that Craig Wright mined as  
17 Craig Wright. In full, in completion, the end. On top of  
18 that, I've sent other files, as well.

19 Q. Dr. Wright, is this the list you provided to satisfy the  
20 Court's order that you provide a list of your Bitcoin --

21 MS. MCGOVERN: Objection to the characterization of  
22 the production, Your Honor.

23 THE COURT: Overruled.

24 BY MR. FREEDMAN:

25 Q. Is this the list that you provided to satisfy the Court's

1 order that you identify the Bitcoin you mined before December  
2 31st, 2013?

3 A. No. The list of the first 15 addresses is the list of  
4 Bitcoin I mined as Craig Wright, the Defendant. This is  
5 another list that I was given. I'm not a trustee.

6 Q. So you -- sorry. Please finish.

7 A. So I've given every file I've received. I've given every  
8 computer for staff members at the time. I've given computers  
9 for my accountants at the time. I have not checked them. I  
10 have not validated them. I have not verified them. I get  
11 something, I hand it to my lawyers to give into the case. That  
12 is my duty. I take my duty seriously.

13 MR. FREEDMAN: Ms. Vela, take this down please and for  
14 just the witness and counsel, can you please bring up Docket  
15 Entry -- oh, P446.

16 BY MR. FREEDMAN:

17 Q. Dr. Wright, do you recognize the notice of compliance  
18 that's on the screen?

19 A. I do.

20 MR. FREEDMAN: Your Honor, Plaintiffs offer P446 into  
21 evidence.

22 MS. MCGOVERN: Objection, Your Honor.

23 THE COURT: And the basis?

24 MS. MCGOVERN: Hearsay, Your Honor. It's a filing by  
25 counsel and it's a pleading in the Court and it's hearsay.

1 THE COURT: Overruled. It will be admitted into  
2 evidence.

3 (Plaintiffs' Exhibit 446 received into evidence.)

4 BY MR. FREEDMAN:

5 Q. Dr. Wright, this is a filing --

6 MR. FREEDMAN: Can you please publish to the jury.

7 THE WITNESS: Sorry. What was that?

8 BY MR. FREEDMAN:

9 Q. We're going to publish the notice of compliance to the  
10 jury, Dr. Wright.

11 A. Uh-huh.

12 Q. Dr. Wright, this document has been filed in this  
13 litigation. Do you see the Bates stamp -- the ECF stamp across  
14 the top meaning it was received by the Court's e-filing system?

15 A. I do.

16 Q. And it's Ira Kleiman as personal representative of the  
17 estate of Dave Kleiman?

18 A. Yes.

19 Q. And W&K Info Defense Research, LLC?

20 A. I do.

21 Q. Versus Craig Wright?

22 A. I do.

23 Q. "Craig Wright's notice of compliance with the Court's  
24 January 10th, 2020 order."

25 Do you see that?

1 A. I do.

2 Q. "Dr. Wright files this notice of compliance with this  
3 Court's order dated January 10th, 2020."

4 Do you see that, Dr. Wright?

5 A. I do.

6 Q. "Specifically, Dr. Wright notifies the Court that a third  
7 party has provided the necessary information and key slices to  
8 unlock the encrypted file. And Dr. Wright has produced a list  
9 of his Bitcoin holdings as ordered by the Magistrate Judge to  
10 Plaintiffs today."

11 Do you see that, Dr. Wright?

12 A. I do.

13 MR. FREEDMAN: Ms. Vela, can you --

14 BY MR. FREEDMAN:

15 Q. And, Dr. Wright, do you see where it says on the bottom:  
16 "Rivero Mestre"?

17 A. I do.

18 Q. Those are your lawyers at this table?

19 A. They are.

20 MR. FREEDMAN: Can you go to the next page, please.

21 BY MR. FREEDMAN:

22 Q. Signed by Mr. Rivero himself and Ms. McGovern, right?

23 MS. MCGOVERN: Objection, Your Honor. This is  
24 unnecessary with respect to --

25 THE COURT: Sustained.



1 MR. FREEDMAN: Ms. Vela, can you take it down.

2 Ms. Vela, can you put back up P554.

3 BY MR. FREEDMAN:

4 Q. Dr. Wright, does this help refresh your recollection that,  
5 in fact, this is the list of Bitcoin you produced in response  
6 to the Court's order?

7 A. That contains the list of the first 15 addresses which are  
8 the list of Bitcoin I mined. Lines number 2 to 16 are it.

9 Q. What's the rest of the list for, Dr. Wright?

10 A. Company assets.

11 Q. Whose company, Dr. Wright?

12 A. It's owned by my wife.

13 MR. FREEDMAN: Your Honor, Plaintiffs would offer P554  
14 into evidence.

15 MS. MCGOVERN: No objection, Your Honor.

16 THE COURT: Admitted into evidence.

17 (Plaintiffs' Exhibit 554 received into evidence.)

18 BY MR. FREEDMAN:

19 Q. Dr. Wright, we have your list of 1,600 -- sorry -- 16,404  
20 public addresses.

21 MR. FREEDMAN: Ms. Vela, can you bring us to Page 208.

22 Can you zoom in on the left-hand side so we can see  
23 the number of rows with the public addresses on the left-hand  
24 side, please.

25

1 BY MR. FREEDMAN:

2 Q. And you see 16,405 is filled because the first line says it  
3 is the key of what everything is, the public address, and the  
4 row number?

5 A. That's not a public address.

6 Q. Dr. Wright, do you see it says: "16,405"?

7 A. I do.

8 Q. So it is --

9 MR. FREEDMAN: Ms. Vela, can you zoom back out and go  
10 to page 1 again. And can you zoom in on Column D which are the  
11 public addresses.

12 BY MR. FREEDMAN:

13 Q. Are those public addresses, Dr. Wright?

14 A. I would have to verify, but they appear to be. They're in  
15 standard Bitcoin Number 1 format.

16 Q. Dr. Wright, each and every one of these Bitcoin addresses  
17 at the time you produced this list had 50 Bitcoin in it,  
18 correct?

19 A. I couldn't tell you.

20 Q. Dr. Wright, what is one thousand -- sorry -- 16,404 times  
21 50?

22 MS. MCGOVERN: Objection, Your Honor.

23 BY MR. FREEDMAN:

24 Q. It's not a test, Dr. Wright. It's --

25 THE COURT: Sustained.

1 BY MR. FREEDMAN:

2 Q. It's 820,200, correct?

3 A. Yes.

4 MS. MCGOVERN: Same objection, Your Honor.

5 THE COURT: Sustained.

6 BY MR. FREEDMAN:

7 Q. Dr. Wright, you claim you mined the Bitcoin on this list by  
8 yourself without Dave; isn't that correct?

9 A. No, I did not.

10 Q. You did not claim it or you did not mine it by yourself?

11 A. I've not claimed that I mined Bitcoin myself. I started a  
12 company in Australia called Information Defense. That was  
13 formed in January of 2009.

14 I hired Hector as my IT person. Hector Malbburang. He's  
15 from the Philippines. I had John Chesher as my accountant. We  
16 were running computers in three different data centers. I  
17 can't remember. Chris -- I'm sorry. I forgot his last name.  
18 John Cable was another person. And I ran a number of machines  
19 across those locations.

20 So, the companies owned the machines. The companies owned  
21 the premise. The companies owned the Internet connections.  
22 The companies paid the electricity. Therefore, as I was hiring  
23 an individual to run those computers for me, I didn't mine  
24 them. So no, I did not mine. I mined Blocks 1, 2, 3, 4,  
25 and -- I'll just do an ellipsis, dot, dot, dot -- 15 and 16.

1 MR. FREEDMAN: Ms. Vela, can you please play clip  
2 number 97 from Dr. Wright's deposition of March 18th.

3 (Video played.)

4 BY MR. FREEDMAN:

5 Q. "By myself," Dr. Wright, correct?

6 A. Yes, but does that mean that I'm the only person in my  
7 company? No. I had -- I owned 73 percent of the company. 73  
8 percent means I'm not the sole shareholder. There were other  
9 investors.

10 I admit that I had control. I admit that one of those  
11 shareholders was my mother. My mother had shares in my company  
12 because -- I don't know about people here, but quite often  
13 parents like to invest in their kids. I'm very thankful for my  
14 mother doing that.

15 So, technically, I ran it. I controlled it. I told my  
16 staff what to do. I had staff. They did it. And I say I did  
17 my company's work. I'm not going to take full control over  
18 everything my staff did. They deserve credit, too.

19 Q. Dr. Wright, isn't it true that through a number of  
20 convoluted means, you controlled all the bearer shares in  
21 Wright International Investments?

22 A. There was no convoluted means. I own the one hundred  
23 percent in a trust. Convoluted, he says -- is I had a family  
24 trust. I set up a family trust right at the beginning. That's  
25 part of what annoyed the tax office because I set up this

1 thing, and it made money. And I have set up a tax-effective  
2 structure. I'm looking at paying tax now. I'm trying to  
3 negotiate with the government how I do that. Am I going to  
4 just liquidate everything? No. Convoluted, no.

5 Craig Wright sets up a trust in 1998, changes the name of  
6 the trust in 2011. That trust owns Wright International  
7 Investment. The Australian companies mine into the foreign  
8 company. I think that's simple.

9 MR. FREEDMAN: Counsel, I'm going to the testimony of  
10 Dr. Wright at a court hearing that occurred on June 28th, 2019.  
11 I'm at Page 157, lines 18 through 22.

12 MS. MCGOVERN: Can I have the citation one more time?

13 MR. FREEDMAN: It's the June 28th, 2019 court hearing,  
14 Page 157, lines 18 through 22.

15 MS. MCGOVERN: One second, please. 152?

16 MR. FREEDMAN: 158 -- 157. Lines 18 through 22.

17 MS. MCGOVERN: 157. Okay. One second, please.

18 Okay. No objection.

19 BY MR. FREEDMAN:

20 Q. Dr. Wright, do you remember appearing for a court hearing  
21 on June 28th, 2019 when you were put under oath?

22 A. I remember basically, yes.

23 Q. And at that hearing, I asked you the following questions  
24 and you gave the following answers:

25 "Question: Dr. Wright, who owned Wright International

1 Investments?

2 "Answer: It was actually held by bearer shares at that  
3 stage and managed by Denis and his group.

4 "Question: And who held the bearer shares?

5 "Answer: Through a number of convoluted means, I  
6 controlled them."

7 Dr. Wright, you said: "Convoluted means," not me; isn't  
8 that right?

9 A. Again, you're taking my testimony and twisting it. The  
10 control of the company and how I set up the thing was still by  
11 the trust. Denis and the companies were the trust.

12 All I did was made sure that -- as you wanted me to say,  
13 it's convoluted because no one seems to understand that trust,  
14 foreign entities, ownership. I think it's really simple.

15 Everyone runs around going: "It's convoluted." My lawyers  
16 say: "It's complex." My accountants say: "It's complex."  
17 It's not. I'm the controller in the past. My wife is now.  
18 That's simple. I don't think that's difficult. I mean, yes,  
19 we have corporate people appointed. Yes, we have all these  
20 other companies to run things. My wife's the trustee now. She  
21 sits on top and runs it. I was the trustee before. I sit on  
22 top and run it. Yes, I have people hired. Not hard.

23 Q. Dr. Wright, it's your testimony now that the -- well,  
24 strike that.

25 Dr. Wright, the Bitcoin that we looked at, the 820 --

1 820,200 Bitcoin, that list, when was that list -- when is the  
2 last date that the Bitcoin on that list were mined?

3 A. That was August 2010. But I think it was actually and 50.  
4 I think you missed 50.

5 Q. And, Dr. Wright, the -- you say it's 820,250?

6 A. I think so.

7 Q. Okay. And, Dr. Wright, you said you mined some Bitcoin,  
8 the first 16 blocks on your own. That was in 2009?

9 A. Yes.

10 Q. January 2009?

11 A. Yes.

12 Q. And it's your testimony here today, Dr. Wright, that the  
13 Bitcoin you mined that are on that list were mined for Wright  
14 International Investments, correct?

15 A. That were mined by Information Defense PTY, Limited  
16 Australia. They were done under a contract to the foreign  
17 entity.

18 The reason for this is that I have -- well, basically a lot  
19 of overseas money in the past because I helped set up casinos.  
20 My background is in gaming. I set up Lasseters Casino which  
21 was the first Internet casino that was licensed. Not illegal  
22 ones. All government licensed. The government got their tax,  
23 et cetera.

24 I helped with other things like Playboy gaming. That  
25 always annoyed my wife. I helped with a number of other things

1 that -- so early IPO days of Internet, I helped -- that's how I  
2 know Calvin and others in the industry. I helped develop the  
3 legal gaming industry outside of America.

4 I held -- so, basically going back into it, the Australian  
5 entity needed to be funded without tax legally, so I structured  
6 it so the overseas entity could capitalize the Australian one  
7 and using -- because I used to be -- worked for an accounting  
8 firm as an auditor, we structured the same sort of thing as  
9 Google and others do where the money comes in and then the  
10 rights go back out so that it's structured that way. So I set  
11 up a tax structure that allowed the assets to be held overseas.

12 Q. Dr. Wright, you know it's Plaintiffs' contention in this  
13 lawsuit that it was Satoshi Nakamoto that did that mining,  
14 correct?

15 A. Well, I know you're saying that, yes.

16 MR. FREEDMAN: Ms. Vela, can you please bring up Joint  
17 Exhibit 120.

18 Your Honor, Plaintiffs move Joint Exhibit 120 into  
19 evidence.

20 MS. MCGOVERN: No objection.

21 THE COURT: Admitted into evidence.

22 (Joint Exhibit 120 received into evidence.)

23 MR. FREEDMAN: Publish that to the jury, please.

24 BY MR. FREEDMAN:

25 Q. Dr. Wright, this is another message from your Slack channel



1 on ICU MetaNet, correct?

2 A. Correct.

3 MR. FREEDMAN: Ms. Vela, can you highlight that last  
4 sentence -- the last paragraph.

5 BY MR. FREEDMAN:

6 Q. "My life goal is to increase the value of the Bitcoin I  
7 mined as Satoshi in 2009/2010 to be as great as possible. This  
8 will take decades," and: "Bot, a beneficiary and I set it up  
9 so that the 825,000 Bitcoin," right, "will be used for a  
10 purpose."

11 Do you that see that, Dr. Wright?

12 A. I very much do.

13 MR. FREEDMAN: Ms. Vela, can you take that down,  
14 please.

15 BY MR. FREEDMAN:

16 Q. Dr. Wright, you mined the Bitcoin in 2009, 2010 as Satoshi,  
17 did you not?

18 A. That's a simplified version. I was the CEO of the company.  
19 So Satoshi ran Information Defense. Satoshi was the CEO of  
20 Wright International Investments. So, technically the CEO of  
21 the company.

22 If you look at Elan Musk, he sits there going: "I'm  
23 Tesla." Well, just like he does: "I'm Tesla," I did a: "I'm  
24 my company." I probably should have actually said: "And my  
25 staff." I didn't. Just like Elan doesn't run around doing it.

1 I mean, I'm sorry. I do mean that they are. I mean, I can't  
2 do these things without the people who work for me. So I'm  
3 sorry I didn't mention them.

4 MR. FREEDMAN: Your Honor, I'm about to start another  
5 module that will take a little bit of time. I know we're a  
6 little early. I can keep going if the Court wants, but now  
7 would be a good time for a break.

8 THE COURT: Ladies and Gentlemen, how are we doing?  
9 Is this a good time for a break? Yes.

10 All right. Let's go ahead and take a 20-minute  
11 recess.

12 (Jury not present, 3:14 p.m.)

13 THE COURT: All right. We're on a 20-minute recess.

14 MR. FREEDMAN: Your Honor, when we get back, I didn't  
15 want to ask in front of the jury because I know you want to use  
16 their time, but can we have two minutes to discuss the document  
17 you sustained the objection on before the jury gets pulled back  
18 in? It's an important document for our case.

19 THE COURT: See you back in 17 minutes.

20 MR. FREEDMAN: Thank you, Your Honor.

21 MS. MCGOVERN: Your Honor, could we just ask what  
22 document it is so we can --

23 MR. FREEDMAN: It's the Bitmessage one.

24 MS. MCGOVERN: Okay.

25 (Recess from 3:15 p.m. to 3:29 p.m.)

1 THE COURT: All right. Go ahead and have a seat.  
2 Back on the record.

3 What did you want to address, Mr. Freedman?

4 MR. FREEDMAN: Your Honor, I was trying to get in P613  
5 and the Court sustained an objection. I just wanted an  
6 opportunity to understand what the issue was.

7 THE COURT: You didn't lay the proper foundation, sir.

8 MR. FREEDMAN: So, Your Honor, P051 which is already  
9 in evidence, is an example of these Bitmessages that we've --  
10 the Court let into evidence yesterday.

11 MS. MCGOVERN: I'm sorry. Which number, Mr. Freedman?

12 MR. FREEDMAN: P051.

13 MS. MCGOVERN: Was that with respect to Jonathan  
14 Warren's deposition?

15 MR. FREEDMAN: Yes.

16 THE COURT: Wasn't that through Mr. Warren's  
17 deposition?

18 MR. FREEDMAN: It was through Mr. Warren, Your Honor.  
19 But the Bitmessages in question were produced to us by  
20 Dr. Wright and they purport to be messages by Dr. Wright to  
21 Dave Kleiman and from Dave Kleiman to Dr. Wright.

22 In order to use Bitmessage, Your Honor, you have a  
23 public address and you have a private key. In order to send a  
24 message, you've got to use that private key each time.

25 In discovery, the private key to the address labeled

1 "Dave Kleiman" in these productions was produced to us by  
2 Dr. Wright. He's now denying he knows what it was, but that  
3 goes to weight, not admissibility. There's no other way to get  
4 it in.

5 He acknowledged that it is a public -- it is a private  
6 key. It is public addresses to Bitmessage. It's the ones that  
7 match Dave Kleiman and Craig Wright. I'm not sure how else to  
8 lay a foundation for the document he produced.

9 THE COURT: So, Ms. McGovern, was it, in fact,  
10 produced by the Defendant and represented that these were  
11 Bitmessages of the Defendant?

12 MS. MCGOVERN: Your Honor, this was a document that  
13 has our Bates label on it. The representation that's just been  
14 made by Mr. Freedman -- if he could point me to the  
15 representation where we said what it is, I have absolutely no  
16 basis to say that we said that or would have said that in  
17 connection with producing documents.

18 But, again, I appreciate Mr. Freedman's, you know,  
19 desire to testify about, you know, what he thinks happened  
20 here. But the reality is Dr. Wright was asked foundational  
21 questions. They were not established. And the objection was  
22 sustained. And there's no -- there's been nothing added to the  
23 record that would merit a reconsideration of that ruling.

24 MR. FREEDMAN: Your Honor, I'm happy to try this again  
25 with Dr. Wright, but I want to clarify my statement because it

1 seems Ms. McGovern misunderstood.

2 The Bitmessages that were put forward appear to be --  
3 were produced by the Defendant and appear to be communications  
4 by and between the decedent, Dave Kleiman, and the Defendant,  
5 Dr. Wright.

6 The production file that contains the passwords to use  
7 these accounts, including to use the account of Dave Kleiman,  
8 was produced by the Defendant without any representation. It  
9 was located by the Plaintiffs' team and then realized what, in  
10 fact, it was.

11 And what that, in fact, means is that whomever had  
12 access to that information that's on that Exhibit P613 can send  
13 every message that appears on --

14 THE COURT: All right. But there's many documents  
15 that reflect DEF. But the question, Mr. Freedman, is: When  
16 was it produced? Was it part of a request for a certain item?  
17 Did the Defendant at any time -- and I'm not just speaking of  
18 the Defendant, Dr. Wright. I'm talking about his agents, the  
19 attorneys. Did the attorneys at any time represent that those  
20 are the Defendant's Bitmessages? When were they produced?

21 I mean, you haven't laid the foundation through this  
22 witness. If, as officers of the Court, this was represented at  
23 some time that these are his Bitmessages, and all of a sudden  
24 he's saying on the stand they are not, then I agree with you  
25 that they should be properly introduced. But I'm not hearing

1 that.

2 MS. MCGOVERN: Your Honor, if I could just make a  
3 statement with respect to that, Your Honor, it's this: You  
4 know, I'm always reluctant when representations are made on my  
5 behalf. And I just want to say if Mr. Freedman would like to  
6 show me the representation that he's now saying I made with  
7 respect to this document that was produced in this case -- and  
8 there were many, many documents -- I would very much like to  
9 see that representation.

10 I don't want to be held to maybe making inconsistent  
11 statements. But, again, what -- everything that's just been  
12 stated by Mr. Freedman was not established with this witness in  
13 front of the jury.

14 MR. FREEDMAN: Your Honor, to be clear, I never said  
15 Ms. McGovern represented it.

16 THE COURT: But they're all Bates stamped. They are  
17 numbered. Was it in a response to a particular request for  
18 production? I mean, if you can establish that to the Court,  
19 fine. Otherwise, you haven't laid the proper foundation  
20 through this witness.

21 MR. FREEDMAN: Your Honor, the requests for production  
22 were done via keyword searches because of the volume of  
23 documents, so it hit on the "Dave Kleiman" keyword search.  
24 That's why it was produced in discovery. I can't point the  
25 Court to a specific request for production.

1 And I want to be clear. The Bitmessages are in  
2 evidence. That's not what I'm asking about. The document I'm  
3 talking about is literally a list of passwords to use the  
4 Bitmessages that are already in evidence.

5 THE COURT: You can try to lay the foundation, but at  
6 this point the objection is sustained.

7 MR. FREEDMAN: Okay. Thank you, Your Honor.

8 THE COURT: All right.

9 MR. RIVERO: Your Honor, I have one housekeeping  
10 matter.

11 THE COURT: Mr. Rivero?

12 MR. RIVERO: No, just one housekeeping matter. On  
13 Exhibit 359 -- and I want to defend my crack paralegal, Sarah  
14 Gonzalez -- we went back to the day four p.m. rough draft and  
15 it had been -- I have it here, Judge. I moved the admission of  
16 359. Mr. Brenner said: "No objection, Your Honor."

17 THE COURT: But that was Defendant's 359.

18 MR. RIVERO: That's Defendant's 359. Have I got it  
19 backwards, Judge?

20 MR. BRENNER: The mistake was -- Judge, we all thought  
21 Mr. Freedman said: "P359." He was saying: "D359."

22 THE COURT: Oh, I thought he said: "P."

23 MR. BRENNER: We all did.

24 THE COURT: Okay.

25 MR. RIVERO: Oh, I'm sorry, Judge. I thought he said

1 "D." Yeah, okay.

2 THE COURT: All right. So he was attempting to get in  
3 D359 which is already in evidence?

4 MR. BRENNER: And I think P359 is not, nor has it been  
5 introduced.

6 MR. RIVERO: I thought I'd clarify the record.

7 And thank you, Mr. Brenner. I appreciate it.

8 MR. BRENNER: I think we all heard the same thing,  
9 Judge.

10 MR. RIVERO: Judge, I will defend Ms. Gonzalez, who is  
11 being very careful about this.

12 THE COURT: All right. Let's go ahead and bring in  
13 the jury.

14 (Before the Jury, 3:36 p.m.)

15 THE COURT: All right. Welcome back, Ladies and  
16 Gentlemen. Please be seated and we'll continue with the  
17 questioning.

18 MR. FREEDMAN: Ms. Vela, could you please bring up  
19 P051. This is already in evidence.

20 And can you zoom in on that?

21 BY MR. FREEDMAN:

22 Q. Dr. Wright, do you recognize this as Bitmessage -- as the  
23 Bitmessage software printout of the Bitmessage software?

24 A. It's too blurry. No, I can't.

25 Q. Do you see it says: "Craig S. Wright" on the left side?



1 In the first column on the left-hand side it says: "Craig S.  
2 Wright"?

3 A. Yes, but I can't see the keys.

4 Q. We're going to get down there, Dr. Wright.

5 Do you see where it says: "Dave Kleiman" on the right side  
6 as the "from"?

7 A. Yes, but that's not part of a Bitmessage thing. You'd have  
8 to actually drill in. So I can't say that's Craig Wright or  
9 Dave Kleiman. Sorry.

10 Q. So, Dr. Wright, this is -- this purports to be on paper a  
11 message that's sent from Dave Kleiman to Wright. Do you see  
12 that?

13 A. No, it doesn't. Bitmessage doesn't have the names of  
14 people in it. So, no, it doesn't.

15 Q. And, Dr. Wright, the subject of the message says: "Re:  
16 scripted money, scripted money, scripted money, insignia, the  
17 trust and loan," apparently coming from Dave Kleiman.

18 Do you see that?

19 A. I see subject lines but that doesn't say from Dave Kleiman  
20 actually. There's no attribution to a person in Bitmessage.  
21 So, no, I cannot say it's Dave Kleiman.

22 Q. It says: "Dave Kleiman appendix, Dave Kleiman Tulip Trust,  
23 Dave Kleiman Tulips, Dave Kleiman 1933, Dave Kleiman, the trust  
24 process."

25 Do you see that, Dr. Wright?

1 A. I can see the document.

2 Q. And there are on the right-hand column the time in which  
3 these messages were purportedly received? You see it says:  
4 "Received"?

5 A. I can see a time there, yes.

6 Q. And you heard from Jonathan Warren, creator of this  
7 program, some of these messages at the bottom were received  
8 before the program was even created. Do you recall that?

9 A. I recall that he said that it didn't come out till then.  
10 But if you look at the Wiki, you'll see that the Wiki was on  
11 the 1st of October, which is still public. You go to the  
12 Wayback Machine, you find that the launch of product publicly  
13 was on the 1st of October, so he must have got that confused.

14 The domain registration was in middle of April of that  
15 year. I guess he got that confused too. He may have forgotten  
16 that he actually registered the domain in April. He may have  
17 forgotten that he did it on there.

18 He seems to have forgotten that Atheros, the account that  
19 he used that he wants to distance himself from, was actually  
20 chased down for Silk Road use. But, unfortunately, if it's  
21 released on the 1st of October and the record's on the  
22 Internet, you can't be arguing that it's not.

23 MR. FREEDMAN: Ms. Vela --

24 BY MR. FREEDMAN:

25 Q. Do you see, Dr. Wright, before we move forward -- do you

1 see that this line is highlighted: "Craig S. Wright, Dave  
2 Kleiman 1933, Sunday, 11th of November, 2012, 4:22 a.m."?  
3 That's the selected message, right?

4 A. I can see the highlight.

5 MR. FREEDMAN: Ms. Vela, can you zoom in on the actual  
6 text of the purported message from Dave Kleiman.

7 BY MR. FREEDMAN:

8 Q. "Sir, I will transfer the smaller amounts into the 1933  
9 address before I return it to you. Makes it simpler. Then it  
10 and the one paper wallet is all we need to secure back to you.  
11 I will move" -- there's a Bitcoin address and another Bitcoin  
12 address -- "into 1933 shortly but you should see it come in  
13 later this week. I have been a little under the weather of  
14 late so forgive any delay. This will add the last four --  
15 "five thousand plus and we can move the small change into this  
16 soon after and get the amounts up to the agreed total.  
17 Regards, Dave."

18 Do you see that, Dr. Wright?

19 A. I need glasses. I can make out a couple words, but no.  
20 Sorry, I can't.

21 Q. Is that the sum and substance of a message Dave Kleiman  
22 ever sent you through Bitmessage?

23 A. No. The Bitmessages that I sent between Dave and myself  
24 were set up using his publicly known and own email addresses on  
25 list server PGP's that are provably sent to him.

1 That PGP was put at one stage on security focus under his  
2 email address many years before he died, and that was signed in  
3 some of the messages. So the ones with -- if there's not PGPs  
4 signed within this, then they're not his.

5 Q. So is it your testimony in this litigation that every  
6 Bitmessage that purports to be from Dave Kleiman to Craig  
7 Wright that does not have a PGP key is a forgery?

8 A. I'm purporting that this is not even a Bitmessage. This is  
9 a picture.

10 Q. And, Dr. Wright, isn't it true that to send a Bitmessage  
11 you need a private key?

12 A. No, not necessarily. There are a few different formats.  
13 Both of the ECDSA and the RSA version of the key require a key.  
14 But there is actually a way of doing it through a hash  
15 signature. So, there is a way of having a non-signed  
16 Bitmessage. So not all of the formats; two of them are.

17 Q. But it is possible to send a Bitmessage. If you have the  
18 private key to the public address in Bitmessage, you can then  
19 send a Bitmessage from that address, correct?

20 A. With a private key, you can send a Bitmessage, yes.

21 Q. And isn't it true that whomever has the private key to the  
22 Bitmessage would be able to send that message? Correct?

23 A. Yes.

24 MR. FREEDMAN: Ms. Vela, can you please bring up P613  
25 to only counsel and the witness, please.

1 BY MR. FREEDMAN:

2 Q. Dr. Wright, at the top of this it says --

3 MS. MCGOVERN: Objection, Your Honor. You sustained  
4 the objection to this document.

5 THE COURT: 163. All right. Let's continue.

6 BY MR. FREEDMAN:

7 Q. Dr. Wright, at the top of this, do you see it says:

8 "Bitmessage settings"?

9 A. I can see that.

10 Q. And then at the bottom of this, it bears the name of  
11 somebody we're talking about in this litigation, correct?

12 A. No, that's not correct. His name's there but it's a label.  
13 So it's just a text field that anyone can put anything in. It  
14 doesn't represent a name.

15 Q. And it's associated -- that name, that label, is associated  
16 with the Bitmessage address that is listed right on top of it  
17 in brackets, correct?

18 A. That's in the settings for that one, yes.

19 Q. And then do you see two up from the bottom there's a line  
20 that says: "Private encryption key"? Do you see that?

21 A. I do.

22 Q. And above that, it says: "Private signing key." Do you  
23 see that?

24 A. I do.

25 Q. And so whomever has these keys that are listed in this

1 document would then be able to control the Bitmessage that  
2 bears the label of that individual, correct?

3 A. Well, no, sir. That's actually technically correct --  
4 incorrect. The label can be anything. You could send it,  
5 change it, send it, change it. It's like in your email where  
6 you can put down what your name is. Your email address might  
7 be the same, but you could call yourself Bob or Robert or --  
8 and you can change your name in the field. And you could put  
9 your name down as Bill Gates and have -- well, the same email  
10 address but call yourself Bill Gates, so no.

11 MR. FREEDMAN: One second, Your Honor.

12 BY MR. FREEDMAN:

13 Q. Dr. Wright, is it not true that you did communicate with  
14 Dave Kleiman via Bitmessage?

15 A. It is true, but none of the Bitmessages I communicated to  
16 Dave Kleiman are here.

17 Q. And then, Dr. Wright, do you recognize the Bates label at  
18 the bottom of this document?

19 A. Yes. My lawyers put in the computers of --

20 MS. MCGOVERN: Dr. Wright, please.

21 I'd like to object to any communications that might  
22 run into the privilege between attorney-client, Your Honor.

23 THE COURT: Certainly with regard to any communication  
24 between Dr. Wright and his attorneys.

25 You may continue, sir.

1 THE WITNESS: Yes. I submitted files from computers  
2 from 17 countries that existed over four continents, involving  
3 multiple staff, and I don't know which particular computer this  
4 comes from.

5 BY MR. FREEDMAN:

6 Q. Dr. Wright, in order to submit documents through your  
7 lawyers to us in discovery, you had to have control over those  
8 machines to some extent, correct?

9 MS. MCGOVERN: Objection, Your Honor. Calls for a  
10 legal conclusion.

11 THE COURT: Overruled.

12 THE WITNESS: No.

13 BY MR. FREEDMAN:

14 Q. You gathered documents from various computers across the  
15 world, correct?

16 A. No.

17 Q. You had documents gathered from various computers across  
18 the world, correct?

19 A. No, I asked other people to give files, including ones that  
20 had been sealed, to the lawyers. So other people, without  
21 going through me. None of it touched me. Went directly to my  
22 lawyers.

23 Q. So, someone that you sent a request for assistance to to  
24 send you files eventually produced this document at your  
25 request, correct?

1 A. I don't know. I sent the computers to the lawyers. That's  
2 the end. Don't know.

3 MR. FREEDMAN: And, Your Honor, if I could have one  
4 moment.

5 (Pause in proceedings.)

6 MR. FREEDMAN: And, Ms. Vela, can you bring us to the  
7 next page. And one more page over.

8 BY MR. FREEDMAN:

9 Q. And, Dr. Wright, in the middle of this page is another  
10 label of another individual at issue in this litigation. You  
11 see that name, Dr. Wright?

12 A. I see that you can type in any name you want at any  
13 location at any time and change it. In fact, you can update --  
14 so I could send -- like, if you're using Bitmessage, you could  
15 change it as you go. You could send one and then change it and  
16 change it and change it and change it. So, you could make it  
17 A, and then B, and then C, and then D, back to A, and then B.

18 And the funny thing is when you change it, everything will  
19 display one way and then it will display the other way. And  
20 then it will display the next one, and the next one, and back  
21 and forth all day long. And it has no meaning whatsoever  
22 because this doesn't represent the actual person.

23 Q. And, Dr. Wright, do you see above there there's a  
24 Bitmessage public address?

25 A. Yes. It's not mine.



1 Q. And, Dr. Wright, do you see underneath that it says  
2 "private signing key and private encryption key"?

3 A. Yes. They are different from my ones.

4 Q. And, Dr. Wright, anyone who has the private encryption key  
5 and the private signing key for these that are listed on this  
6 document would be able to control the Bitmessage address that's  
7 above the label with your name on it, correct?

8 A. Yes, but that's not mine.

9 MR. FREEDMAN: Okay. At this point, Plaintiffs would  
10 offer P613 into evidence.

11 MS. MCGOVERN: Objection, Your Honor. The witness has  
12 testified that he doesn't recognize the document and the only  
13 basis --

14 THE COURT: The objection is sustained.

15 BY MR. FREEDMAN:

16 Q. Dr. Wright, let's talk about the Tulip Trusts a little  
17 more. Okay?

18 A. (No verbal response.)

19 Q. That's the trust, Dr. Wright, that you claim currently  
20 controls all of your Bitcoin, correct?

21 A. No, it controls the company.

22 Q. Which control your Bitcoin?

23 A. The companies own assets. There's two main companies that  
24 own Bitcoin. There's some smaller amounts in other companies,  
25 but they're insignificant.

1 Q. Trust control companies and companies own Bitcoin, correct?

2 A. Yes.

3 Q. Okay. And in this case, it's Tulip Trust owns companies  
4 which owns the Bitcoin at issue, correct?

5 A. Yes.

6 Q. In fact, Dr. Wright, as we saw, the Tulip Trust is the  
7 trust that Dave funded with Bitcoin, is it not?

8 A. No, Dave never had anything to do with Tulip Trust. The  
9 Tulip Trust was first in a court case in 2004 in Australia and  
10 has been basically, well, mine since it was set up from 1998  
11 until I handed over control to my wife sort of a few years ago  
12 before this case started, and it's still in her control.

13 Q. And, Dr. Wright, we have seen already the transcript of the  
14 Australian Tax Office where you told them that you and Dave  
15 funded -- are the source of the assets of the Tulip Trust, have  
16 we not?

17 MS. MCGOVERN: Objection. Misstates the record.

18 THE COURT: The basis?

19 MS. MCGOVERN: It mischaracterizes the testimony, Your  
20 Honor.

21 THE COURT: Overruled.

22 THE WITNESS: No. As I said, and as you will find out  
23 before this case is over, that there are forensic documents  
24 validating what I said. The ATO was compromised. The forensic  
25 evidence did prove to that being done in 2005 or earlier.

1 And yes, that will be put forth. So, no, none of  
2 those things have anything to do with the ATO being accurate.  
3 There were lots of falsified documents and lots came from the  
4 ATO. And, no, I will not at any point say that they had  
5 anything to do with the ATO because they are not.

6 MR. FREEDMAN: Ms. Vela, could you please bring up  
7 P607 that I believe is in evidence.

8 But can we just make sure it is before we publish?  
9 It's in evidence. Please publish.

10 Ms. Vela, can you bring us to Page 49.

11 THE COURT: 607 is in evidence.

12 MR. FREEDMAN: And can you zoom in on Paragraph 271.

13 BY MR. FREEDMAN:

14 Q. Dr. Wright has also stated two lines up from the bottom  
15 that the trust -- well, do you see it says: "Tulip Trust"  
16 right in the second line?

17 Mr. Kleiman -- I told you we were going to talk about this,  
18 Dr. Wright, so I'm bringing us back here. "Dr. Wright and  
19 Mr. Kleiman's Tulip Trust document." I told you we'd talk  
20 about that, remember?

21 A. You said it, yeah.

22 Q. "Claimed that Dr. Wright contributed 1.1 million Bitcoin to  
23 the Tulip Trust. But Dr. Wright has also stated that the trust  
24 Bitcoin came from both him and Mr. Kleiman."

25 Do you see that?

1 A. I can see that, yes.

2 Q. And we also saw that the ATO found that Ms. Nguyen, a  
3 trustee of the Tulip Trust, has stated that 650,000 Bitcoin of  
4 the trust came from you.

5 MR. FREEDMAN: Ms. Vela, can we go down to the next  
6 page.

7 BY MR. FREEDMAN:

8 Q. And 350,000 from Mr. Kleiman. Do you see that?

9 A. I can see the document.

10 Q. And, Dr. Wright, in this action --

11 MR. FREEDMAN: Ms. Vela, you can take that down.  
12 Thank you.

13 BY MR. FREEDMAN:

14 Q. You've produced documents that purport to describe the  
15 terms of Tulip Trust, have you not?

16 A. In this case, you mean?

17 Q. Yeah.

18 A. Yes.

19 Q. And, Dr. Wright, you've sworn that these documents are  
20 authentic, haven't you?

21 A. They are authentic, so yes.

22 MR. FREEDMAN: Ms. Vela, can you please bring up P822  
23 for just the witness and opposing -- and counsel.

24 BY MR. FREEDMAN:

25 Q. Dr. Wright, do you recognize this as your sworn declaration

1 you submitted in this Court?

2 A. I do.

3 Q. And do you see it talks about the Tulip Trust?

4 A. No. It talks about Tulip Trust I and Tulip Trust II.

5 These are the structures that I had around Tulip Trust and The  
6 Trust.

7 As I had noted, I also set up something that I called The  
8 Trust, and I set up another thing that I called the Tulip  
9 Trust. I had been officially banned from all of my companies  
10 from ever naming anything ever again.

11 But the nature of this -- and I've now got a patent on  
12 it -- was to set up an algorithmic system that allowed multiple  
13 parties such as directors to be able to vote and do digital  
14 signing for companies without having to -- if there are five  
15 people, for instance, three people could vote and you wouldn't  
16 need to have anyone know who voted or not. And the company  
17 could take actions like a secret vote.

18 So, I set up that algorithmic structure. I ran it and  
19 tested it on my own things, and part of what we were talking  
20 about here is trying to explain the difference between the  
21 holding of key shares and the actual trust. They're different.

22 Q. Dr. Wright, do you see the document says the words: "Tulip  
23 Trust" on it?

24 A. It says: "Tulip Trust I" and it says: "Tulip Trust II."  
25 Yes, I see that.

1 Q. So, it says the words "Tulip Trust"?

2 A. The word Tulip Trust taken out of context as just Tulip  
3 Trust would be wrong. That would be like saying my name says:  
4 "Craig Steven." My name is Craig Steven Wright. If you put  
5 Craig Steven, you get the person my mother named me after. She  
6 liked this actor called Craig Stevens. I don't know why. I  
7 mean, he's okay. He's old now.

8 MR. FREEDMAN: Your Honor, Plaintiffs offer P822 into  
9 evidence.

10 MS. MCGOVERN: No objection.

11 THE COURT: Admitted into evidence.

12 (Plaintiffs' Exhibit 822 received into evidence.)

13 BY MR. FREEDMAN:

14 Q. Dr. Wright --

15 MR. FREEDMAN: Can you please publish to the jury.

16 BY MR. FREEDMAN:

17 Q. Dr. Wright, we're looking at something entitled  
18 "Declaration of Dr. Craig S. Wright" submitted in this  
19 litigation. You see the court ECF stamp across the top?

20 A. I do. I recognize it.

21 Q. You see the case caption on the left side?

22 A. Yes.

23 Q. It's called "Declaration of Dr. Craig S. Wright." And it  
24 begins: "I, Craig S. Wright, declare under penalty of perjury  
25 under the laws of United States of America that the following

1 is true and correct"?

2 A. Yes.

3 MR. FREEDMAN: Ms. Vela, can you bring us to the last  
4 page of the document so we can see Dr. Wright's signature.

5 BY MR. FREEDMAN:

6 Q. It's your signature, Dr. Wright?

7 A. It is.

8 Q. Signed on May 13th, 2019?

9 A. It is.

10 Q. And again: "I declare that the foregoing is true and  
11 correct under penalty of perjury and in accordance with the  
12 laws of United States of America"?

13 A. I do.

14 MR. FREEDMAN: Ms. Vela, can you bring us back to the  
15 first page. And can you call out Paragraph 4 for us.

16 BY MR. FREEDMAN:

17 Q. "I attach to this declaration the trust document dated June  
18 24th, 2011 which is referenced in Paragraph 5 of my May 8th,  
19 2019 declaration. This document is an authentic copy."

20 Do you see that?

21 A. Yes.

22 Q. Trust document dated June 24th, 2011. You swear it's  
23 authentic, correct?

24 A. Yes.

25 Q. All right. Let's take a look at the document dated June

1 24th, 2011 that you attached.

2 MR. FREEDMAN: Ms. Vela, can you please bring up P035.

3 BY MR. FREEDMAN:

4 Q. And do you see this is an email from -- purports to be an  
5 email from you to Dave Kleiman -- from Dave Kleiman to you?

6 A. Yes, I do.

7 Q. And it says: Tulip Trust?

8 A. Mentions .PDF, dot -- et cetera, yes.

9 Q. No I, no II, just Tulip Trust, right?

10 MS. MCGOVERN: Objection, Your Honor. The document  
11 speaks for itself.

12 THE COURT: Overruled. I'll allow it to be pointed  
13 out.

14 THE WITNESS: There are files attached.

15 BY MR. FREEDMAN:

16 Q. No. No. Dr. Wright, what I said was the attachment name  
17 does not contain a I or a II. It just says: "Tulip Trust,"  
18 right?

19 A. But that's a different thing all together. So trying to  
20 explain this in the document was a different thing than the  
21 other.

22 Q. Sorry, Dr. Wright. Maybe you didn't understand what I  
23 asked. All I said is: Is there a I or II in that attachment?

24 MS. MCGOVERN: Same objection, Your Honor.

25 THE COURT: Overruled. I'll allow it.



1 THE WITNESS: No.

2 BY MR. FREEDMAN:

3 Q. Thank you.

4 MR. FREEDMAN: Your Honor, Plaintiffs' offer P035 into  
5 evidence.

6 MS. MCGOVERN: No objection, Your Honor.

7 THE COURT: Admitted into evidence.

8 (Plaintiffs' Exhibit 035 received into evidence.)

9 MR. FREEDMAN: Can we please publish to the jury.

10 BY MR. FREEDMAN:

11 Q. Dr. Wright, this purports to be an email from Dave Kleiman  
12 to you on Friday, June 24th, 2011. Do you see that?

13 A. I do.

14 Q. Purports to attach various attachments that are entitled  
15 "Tulip Trust." Do you see that?

16 A. I do.

17 Q. And the body purports to say: "Craig, I think you are mad  
18 and this is risky but I believe in what we are trying to do."

19 Do you see that?

20 A. I do.

21 MR. FREEDMAN: Ms. Vela, can you put that on the  
22 left-hand side, and let's bring up P822.

23 BY MR. FREEDMAN:

24 Q. Again, this is your sworn declaration, Dr. Wright. "I  
25 attach" -- I'm at Paragraph 5 now. "I attach to this

1 declaration the trust document dated October 23rd, 2012 which  
2 is referenced in Paragraph 5 of my May 8th, 2019 declaration as  
3 Tulip Trust I. This document is an authentic copy."

4 Do you see that?

5 A. Yes, it's a copy.

6 MR. FREEDMAN: Ms. Vela, can you please put down the  
7 one on the left-hand side and let's bring up what Dr. Wright  
8 swore was an authentic copy of the October 23rd, 2012 trust  
9 document, which is P036.

10 That cannot go to the jury yet. It's not yet in  
11 evidence. So why don't we take everything down and we'll just  
12 bring up P036.

13 No, P036.

14 (Pause in proceedings.)

15 BY MR. FREEDMAN:

16 Q. Okay. Dr. Wright, do you see this is a "Deed of Trust"  
17 dated October 23rd, 2012 that also contains the words Tulip  
18 Trust on it?

19 A. Yes, I do.

20 MR. FREEDMAN: Your Honor, Plaintiffs offer P036 into  
21 evidence.

22 MS. MCGOVERN: No objection, Your Honor.

23 THE COURT: Admitted into evidence.

24 (Plaintiffs' Exhibit 036 received into evidence.)

25

1 MR. FREEDMAN: Can we publish this to the jury,  
2 please?

3 Can we zoom out? Zoom out.

4 BY MR. FREEDMAN:

5 Q. This is the document you swore was authentic in your  
6 May declaration, correct, Dr. Wright?

7 A. I believe that's the same document. I can't see the  
8 attachment, but this is a trust document from the trust, yes.

9 MR. FREEDMAN: Okay. Ms. Vela, can you put that down  
10 and let's go back to the first document Dr. Wright swore was  
11 authentic, which is P035.

12 BY MR. FREEDMAN:

13 Q. So, Dr. Wright, we looked at this cover attachment from  
14 this supposed email from Dave Kleiman saying: "I think you're  
15 mad and this is risky." Let's take a look at the attachments.  
16 Okay?

17 And, Dr. Wright, it starts off as a letter: It says: "To  
18 Whom it May Concern," with a cc to Dr. Craig Wright.

19 It starts off -- it says: "It is agreed that" --

20 MR. FREEDMAN: Ms. Vela, can you highlight the  
21 sentence under that.

22 BY MR. FREEDMAN:

23 Q. "I, Dave Kleiman, shall become the trustee for the transfer  
24 of the Satoshi I have received from Craig Wright."

25 Do you see that?

1 A. I do.

2 Q. Satoshi is another way of referring to Bitcoin, right?

3 A. Yes. It's like cents versus dollars, yes.

4 Q. And then underneath it says: "I acknowledge." And in the  
5 paragraph right underneath that it says: "I, Dave Kleiman,  
6 have received 1,100,111 Bitcoin from Craig Wright"?

7 THE COURT: Mr. Freedman, if I may ask, is this  
8 Exhibit 36 or is this another exhibit, sir?

9 MR. FREEDMAN: It is Exhibit 35, Your Honor.

10 THE COURT: All right. Then it is in evidence. It  
11 may be published.

12 MR. FREEDMAN: I'm sorry. Was it on the screen for  
13 the jury this time or --

14 THE COURT: I do not believe that it was, but it is  
15 now.

16 MR. FREEDMAN: It was not?

17 THE COURT: It is on the screen, Ladies and Gentlemen?  
18 All right. Thank you.

19 MR. FREEDMAN: Okay. Let's go back just to the first  
20 page, Ms. Vela, so we can reorient ourselves.

21 BY MR. FREEDMAN:

22 Q. This is the email from Dave Kleiman we looked at earlier  
23 that you swore was authentic. Dave Kleiman to you dated 24th  
24 of June, 2011. It's the email you swore: "Craig Wright, I  
25 think you are mad and this is risky but I believe in what we

1 are trying to do," correct?

2 A. No, that is not correct.

3 Q. All right. Let's move to the next page and let's see the  
4 attachment to this email that you swore was authentic in May.  
5 Purports to be the attachment that you attached to your email  
6 and it appears to be a letter from David Kleiman, correct?

7 A. That's what it appears to be cc'd as. What I did say,  
8 though, I said it was a copy. I did not say it was an original  
9 or anything. I said: "Yes. It appears to be a copy."

10 Q. Dr. Wright, this letter then says: I, Dave Kleiman, shall  
11 become the trustee for the transfer of the Satoshi I have  
12 received from Craig Wright."

13 Do you see that?

14 A. I do.

15 Q. Then it purports to say: "I acknowledge I, Dave Kleiman,  
16 have received 1,100,111 Bitcoin from Craig Wright of 51  
17 Cowangarra Road, Bagnoo, New South Wales, Australia."

18 Do you see that?

19 A. I do.

20 Q. And then two lines underneath that, it says: "All Bitcoin  
21 will be returned to Dr. Wright on January 1st, 2020."

22 Do you see that?

23 A. I do.

24 Q. So, if this document is to be believed, Dr. Wright, Dave  
25 Kleiman has no right to the 1.1 million Bitcoin that you mined.

1 It's all yours. He's just the trustee and he's returning it  
2 all to you on January 1st, 2020, correct?

3 A. Yes. I wrote this document in 2011 and the company is the  
4 owner.

5 MR. FREEDMAN: Ms. Vela, can you put the attachment to  
6 the email down.

7 Let's go back to the first page which is the actual  
8 cover email itself.

9 Can you zoom in on that email.

10 BY MR. FREEDMAN:

11 Q. Dr. Wright, you see this email is dated Friday, June 24th,  
12 2011?

13 A. I do.

14 Q. Isn't it true, Dr. Wright, that you forged this document?

15 A. No, it is not.

16 Q. Isn't it true that this document is a fake?

17 A. I don't know if this is the original or not, but this  
18 document and all that are in it were given to the tax office in  
19 2012.

20 I was before a court proceeding with the tax office who had  
21 attempted to bankrupt me. And Dave and I constructed the trust  
22 so that all the Bitcoin and assets were taken out of my  
23 control. I basically -- Dave saved my ass if I got bankrupted  
24 because Bitcoin would have been -- everything I worked for my  
25 whole life would have been owned by the Australian government.

1           So in 2011, what Dave helped me do was act as a front, a  
2           sham as this tax office called it, to sit there and say that he  
3           ran all my companies in my trust.

4           MR. FREEDMAN: Ms. Vela, can you put the email on the  
5           left-hand side of the screen.

6           BY MR. FREEDMAN:

7           Q. Dr. Wright, I'm going to --

8           MR. FREEDMAN: And, no, Ms. Vela. I'm going to have  
9           to ask you to pull that down because we've got to get another  
10          document in evidence.

11          Can you bring up P518 just for Dr. Wright and counsel.

12          BY MR. FREEDMAN:

13          Q. Dr. Wright, do you recognize this as an email purporting to  
14          be from Dave Kleiman to yourself?

15          A. No. The date's wrong. It's been altered.

16          MR. FREEDMAN: And, Your Honor, we're offering P518  
17          into evidence.

18          THE COURT: Any objection?

19          MS. MCGOVERN: Objection, Your Honor. This is a  
20          document that Plaintiffs are challenging as inauthentic and the  
21          witness has just stated that he can't identify it because it  
22          has the wrong date.

23          THE COURT: It's noted. It goes to its weight.

24          Overruled. It will be admitted into evidence.

25          (Plaintiffs' Exhibit 518 received into evidence.)

1 MR. FREEDMAN: Ms. Vela, can you take down P518.  
2 Let's put back up the document Dr. Wright swore was authentic.  
3 That's P035.

4 Can you highlight the date June 24th, 2011 for us,  
5 please, and move it to the left side of the screen.

6 BY MR. FREEDMAN:

7 Q. Dr. Wright, I'm going to ask you again: Is this document a  
8 forgery?

9 A. Again, I did not swear it was authentic. I said it was a  
10 copy.

11 MS. MCGOVERN: Objection, Your Honor. Asked and  
12 answered.

13 THE COURT: Overruled.

14 MR. FREEDMAN: Ms. Vela, can you please bring up P518.  
15 Zoom in to the text, please, Ms. Vela, for the jury.

16 BY MR. FREEDMAN:

17 Q. Dr. Wright, this email that you produced in discovery to us  
18 is almost identical to the document you swore was authentic  
19 with one change.

20 MR. FREEDMAN: Ms. Vela, can you highlight the date on  
21 this email that purports to come from Dave Kleiman over a year  
22 after he died. Friday, 17th of October, 2014.

23 BY MR. FREEDMAN:

24 Q. Do you see that, Dr. Wright?

25 A. I see the date.



1 Q. Dr. Wright, you're aware the metadata of these documents  
2 will also demonstrate you forged this document, aren't you?

3 MS. MCGOVERN: Objection, Your Honor. Predicate,  
4 foundation.

5 THE COURT: Sustained.

6 BY MR. FREEDMAN:

7 Q. Dr. Wright, if this email is a forgery, then you forged an  
8 email to make it look like Dave agreed that the full  
9 1.1 million belonged to you, didn't you?

10 MS. MCGOVERN: Objection, Your Honor. Calls for  
11 speculation. Foundation.

12 THE COURT: I'll allow it. Overruled.

13 THE WITNESS: Number one, as I stated, this was  
14 submitted to the Australian government in 2012. Dave was  
15 actually alive.

16 Number two, the document was not actually made into  
17 the trust document and it didn't help me.

18 Number three, the transfer was from the companies and  
19 the company. So none of the above.

20 BY MR. FREEDMAN:

21 Q. One last time, Dr. Wright: Did you forge this document?

22 MS. MCGOVERN: Objection. Asked and answered.

23 THE COURT: Sustained.

24 BY MR. FREEDMAN:

25 Q. All right. We'll let Dr. Edman testify to this document

1 later.

2 MR. FREEDMAN: Ms. Vela --

3 MS. MCGOVERN: Objection, Your Honor. Improper  
4 transition.

5 THE COURT: Sustained.

6 MR. FREEDMAN: Ms. Vela, can you bring these documents  
7 down and let's bring up P036. The second document Dr. Wright  
8 swore was authentic.

9 MS. MCGOVERN: Objection, Your Honor. Move to strike  
10 these statements by counsel as though they're record evidence.  
11 There's not a question pending. It's inappropriate.

12 THE COURT: Sustained.

13 BY MR. FREEDMAN:

14 Q. Dr. Wright, did you swear this document was authentic?

15 A. No. I said it was a copy of the trust document.

16 Q. Swore it was an authentic copy, Dr. Wright?

17 A. An authentic copy is an authentic copy. If I copy the file  
18 50 times, if I print it 50 times, if I make it to a new  
19 print -- to a PDF today with today's metadata, it is an  
20 authentic copy.

21 Q. Did you swear it was an authentic copy? Yes or no?

22 A. Yes.

23 Q. Dr. Wright, this purports to be a deed of trust. Do you  
24 see on the top it says: "Deed of Trust"?

25 A. It is what it says.

1 Q. Purports to be a deed of trust between Wright International  
2 Investments.

3 MR. FREEDMAN: Ms. Vela, can you highlight that for us  
4 and zoom in on the relevant portion.

5 BY MR. FREEDMAN:

6 Q. IBC 064409?

7 A. Yes.

8 Q. IBC is International Business Company?

9 A. Yes.

10 MR. FREEDMAN: Ms. Vela, can you zoom in on -- oh, can  
11 we please publish that to the jury, please. It's in evidence.

12 THE COURT: It's in evidence.

13 BY MR. FREEDMAN:

14 Q. Dr. Wright, this purports to be a deed of trust between  
15 Wright International Investments, IBC number 064409, and Tulip  
16 Trading, IBC number 093344. Do you see that?

17 A. I do.

18 Q. Purports to be dated 23rd of October, 2012. Do you see  
19 that?

20 A. That's when it was.

21 Q. In fact, Dr. Wright, not only did you swear this was an  
22 authentic copy, you also swore this document was executed in  
23 October of 2012, did you not?

24 A. It would have been that day. It -- well, it's my birthday  
25 so that's I think why we did it.

1 MR. FREEDMAN: Ms. Vela, let's move this document off  
2 to the side and can we please bring up Joint Exhibit 14.

3 Which if it's not in evidence, Your Honor, Plaintiffs  
4 would like to move it into evidence.

5 MS. MCGOVERN: No objection, Your Honor.

6 THE COURT: Without objection, 14 is admitted into  
7 evidence.

8 (Joint Exhibit 14 received into evidence.)

9 BY MR. FREEDMAN:

10 Q. Can we go -- do you see where it says: "Tulip Trust,"  
11 Dr. Wright?

12 A. Where am I looking? Sorry.

13 Q. Bold. Halfway down the page.

14 MR. FREEDMAN: Ms. Vela, can you highlight Tulip Trust  
15 for Dr. Wright between Paragraphs 3 and 4.

16 BY MR. FREEDMAN:

17 Q. Do you see that?

18 A. I do.

19 Q. This is another sworn declaration by you, Dr. Wright, under  
20 penalty of perjury?

21 A. Yes, it is.

22 MR. FREEDMAN: Ms. Vela, can you go to the next page  
23 for us?

24 And in Paragraph 5, Ms. Vela, can you call that out  
25 for us?

1 BY MR. FREEDMAN:

2 Q. October, 2012, a formal trust document was executed. Do  
3 you see that?

4 A. Yes.

5 MR. FREEDMAN: All right. Ms. Vela, can you put down  
6 Joint Exhibit 14.

7 BY MR. FREEDMAN:

8 Q. Swore it was an authentic copy. Swore it was executed in  
9 October, correct?

10 A. Yes.

11 Q. The parties of this document, Dr. Wright, are Wright  
12 International Investments and Tulip Trading. You see it says  
13 the parties at the top?

14 A. Yes.

15 MR. FREEDMAN: Ms. Vela, can you go to the next page  
16 for me?

17 BY MR. FREEDMAN:

18 Q. And here it says that -- in Paragraph 1, that the parties  
19 are the beneficial owners of trust.

20 MR. FREEDMAN: Can you highlight and can you call out  
21 Paragraph 1 for us, Ms. Vela.

22 BY MR. FREEDMAN:

23 Q. "That we will act as the holder and as nominee agent and  
24 trustee for the parties who are at all times the beneficial  
25 owners."

1 Do you see that?

2 A. The parties who are the beneficial -- it doesn't say: "The  
3 parties are the beneficial owners." It says: "The parties who  
4 are at all times." So ...

5 Q. The parties are the beneficial owners?

6 A. No, that's not what it says. "The parties who are the  
7 beneficial owners." That doesn't mean the parties. So that's  
8 actually, again, two different things.

9 MR. FREEDMAN: Ms. Vela, can you minimize that for us,  
10 move it to the left side and bring up Joint Exhibit 14 again?

11 Can you go with me to paragraph 13. Can you highlight  
12 Paragraph 13 for us and bring it out.

13 BY MR. FREEDMAN:

14 Q. The beneficiaries of Tulip Trust I are Wright International  
15 Investments, LTD and Tulip Trading. Do you see that,  
16 Dr. Wright?

17 A. I do.

18 Q. So they are the beneficiaries of this trust, are they not,  
19 Dr. Wright?

20 A. Yes, but the comment on the other one wasn't what you said.

21 MR. FREEDMAN: All right. Ms. Vela, can you put down  
22 Joint Exhibit 14 for us, please.

23 BY MR. FREEDMAN:

24 Q. Dr. Wright, right below number --

25 MR. FREEDMAN: Can you highlight -- Ms. Vela, can you

1 zoom in on the -- yeah, the bottom half of that document,  
2 please.

3 BY MR. FREEDMAN:

4 Q. Dr. Wright, this trust document that you swore was  
5 authentic says: "Its assets to be settled in this joint  
6 agreement and deed between the parties include."

7 Do you see that?

8 A. Yes, but if you scan up to the top of the document, you  
9 will see what you're trying to misconstrue as the trust, the  
10 cryptographic algorithmic thing that I detailed before. So you  
11 are taking this out of context.

12 Q. Dr. Wright, do you see that under the assets that are  
13 supposed to be in this trust you write in 3B: "This includes  
14 the 1,100,111 Bitcoin under that former arrangement in the  
15 attached conditions."

16 Do you see that?

17 A. Again, no. I believe if you zoom out on this, you will see  
18 mention of DAC.digital or basically an algorithmic company  
19 called The Trust. It will be listed above if you zoom out.

20 What you're doing is you're conflating The Trust with the  
21 trust as in Tulip Trust. The Trust is the DAC distributed  
22 autonomous corporation that I set up in the trust.

23 Q. Dr. Wright, Paragraph 3 says: "All Bitcoin and ledger  
24 assets are going to go into this joint agreement transferred  
25 into Tulip Trading by Mr. David Kleiman on June 2011 following

1 transfer to Mr. Kleiman from Dr. Wright on June 2011."

2 A. Uh-huh.

3 Q. On the 9th. So, this document is saying you sent Bitcoin  
4 to Dave Kleiman. Dave Kleiman is then putting them into Tulip  
5 Trading and now it's going into this trust, correct?

6 A. Into the algorithmic system, yes.

7 Q. So, Dr. Wright, this is yet another document purporting to  
8 show that Dave Kleiman has no right to the 1.1 million Bitcoin  
9 in the Tulip Trust, correct?

10 MS. MCGOVERN: Objection. Mischaracterizes the  
11 evidence.

12 THE COURT: Sustained.

13 Rephrase.

14 BY MR. FREEDMAN:

15 Q. Dr. Wright, this is another document showing that you, your  
16 companies, Tulip Trading and Wright International Investments,  
17 are the sole beneficiaries of 1.1 million Bitcoin in the trust,  
18 correct?

19 A. This 1.1 million was actually spent. The Tulip Trading  
20 Bitcoin was purchased from a Russian exchange in 2011. The  
21 records are all available. It's all in the blockchain. So  
22 that Bitcoin there in Tulip Trading isn't the Wright  
23 International Trading -- sorry -- Wright International, Limited  
24 Bitcoin. It is another group of Bitcoin.

25 So very simply, you keep confounding the Bitcoin in one



1 company with the Bitcoin in another company. And you keep  
2 saying "mined," but this is not mined by me. This is purchased  
3 by me.

4 Tulip Trading, Limited transferred control so that we could  
5 spend it. This was not outside my control. This was not ones  
6 I couldn't spend.

7 Q. Let's just summarize this for a moment, Dr. Wright. Dave  
8 Kleiman dies in 2013, correct?

9 A. Yes.

10 Q. We saw you swore the Tulip Trust document was executed in  
11 2012, correct?

12 A. Yes.

13 Q. And, in fact, it's dated from 2012, correct?

14 A. Yes.

15 Q. And now we've seen that this Tulip Trust was created by  
16 Tulip Trading and Wright International Investments, correct?

17 A. Again, what you're confounding is the bit you're hiding and  
18 not showing, which is The Trust. You will find in this  
19 document, if you actually zoomed out and showed the full  
20 document rather than not letting me see it, that it involves  
21 The Trust, a DAC. A DAC being a distributed autonomous  
22 corporation.

23 That is now a big thing with Ethereum and all these other  
24 crypto, like how do we make a company that can operate  
25 autonomously. So that's actually in here.

1 MR. FREEDMAN: Ms. Vela, zoom out for Dr. Wright.

2 BY MR. FREEDMAN:

3 Q. What am I hiding, Dr. Wright?

4 A. If you go up to line 2 -- line 3. Please highlight them  
5 and expand. "We will undertake to agree and act in the process  
6 known as The Trust." I said that multiple times.

7 Being a DAC distributed autonomous corporation, formed  
8 using a split-key cryptographic process, which I said that the  
9 SSIs have voting power through the DAC and the software-based  
10 provisions formulated and the distribution of keys will be  
11 held.

12 The entire thing that I've been saying I set up inside my  
13 trust, a DAC, a distributed autonomous corporation. The first  
14 one in human history. That's it.

15 Q. Dr. Wright, I'm not quibbling with you about the form of  
16 the trust --

17 MS. MCGOVERN: I can't hear the question.

18 BY MR. FREEDMAN:

19 Q. I said I'm not disputing with you the form of the trust.  
20 I'm talking about what you put into the trust.

21 A. No, you are, because you are confounding --

22 Q. Dr. Wright, there's no question pending.

23 MR. FREEDMAN: Ms. Vela, can you please go down to the  
24 highlighted question. The highlighted part of this document.

25

1 BY MR. FREEDMAN:

2 Q. Dr. Wright, this document says: "The assets to be settled  
3 in this joint agreement and deed between the parties include  
4 the 1,100,111 Bitcoin held under a former arrangement and the  
5 attached conditions"; isn't that true?

6 MS. MCGOVERN: Objection, Your Honor. The document  
7 speaks for itself and it's argumentative.

8 THE COURT: Sustained.

9 BY MR. FREEDMAN:

10 Q. Dr. Wright, I want to go through these things in order so  
11 it's easy to follow. Dave Kleiman dies in 2013, correct?

12 A. Correct.

13 Q. This document was executed in 2012, correct?

14 A. Executed and issued as copied to the Australian government.  
15 Same month.

16 MR. FREEDMAN: Ms. Vela, can you bring us to Page 1?

17 BY MR. FREEDMAN:

18 Q. It was formed between Wright International Investments and  
19 Tulip Trading, IBC number 093344 on 23rd October 2012, correct?

20 A. Correct.

21 Q. Dr. Wright, isn't it true that you had no connection  
22 whatsoever to Tulip Trading until two years after this trust  
23 document was executed?

24 A. No. Actually, the company was audited and was part of a  
25 court case. It went into '12, '13 and then '14. So, you're

1 going to bring up the fact that some of my staff tried to get  
2 me in trouble with the tax office again. And you're going to  
3 ignore the fact that it's mentioned earlier again. So no.

4 Q. Dr. Wright, isn't that because you bought Tulip Trading II  
5 years after this trust document was allegedly executed?

6 MS. MCGOVERN: Objection, Your Honor. Lack of  
7 predicate.

8 THE COURT: Overruled.

9 THE WITNESS: No.

10 BY MR. FREEDMAN:

11 Q. And, Dr. Wright, isn't it true that you purposely looked  
12 for and bought an aged shelf company so that in 2014 you could  
13 make it look like you had entered into a trust agreement in  
14 2012, the year before Dave Kleiman died?

15 A. Seeing as though I already had an aged company called  
16 Wright International Investments, that would be really silly.  
17 No.

18 MR. FREEDMAN: Ms. Vela, can you please put this down  
19 for a moment and bring up P522 for just counsel and the  
20 witness.

21 Q. Dr. Wright, do you recognize this as an email exchange  
22 between Denis Mayaka and yourself?

23 A. I recognize it as a known compromised email that happened,  
24 yes.

25 MR. FREEDMAN: Ms. Vela, can you go to Page 3, please.

1 BY MR. FREEDMAN:

2 Q. Do you see the name Tulip Trading, Limited, Dr. Wright?

3 A. I do.

4 MR. FREEDMAN: Your Honor, Plaintiffs offer P522 into  
5 evidence.

6 MS. MCGOVERN: No objection, Your Honor.

7 THE COURT: Admitted into evidence.

8 (Plaintiffs' Exhibit 522 received into evidence.)

9 MR. FREEDMAN: Can we publish to the jury.

10 And go with the last page. That's the first email,  
11 last page, Page 3.

12 BY MR. FREEDMAN:

13 Q. Dr. Wright, the very first email in this chain comes from  
14 somebody named Denis -- Denis Mayaka?

15 MR. FREEDMAN: No. No. Ms. Vela, please zoom back  
16 out. Zoom into the bottom half, please.

17 BY MR. FREEDMAN:

18 Q. Dr. Wright, Denis Mayaka, do you see his signature at the  
19 bottom?

20 A. That's not his email.

21 Q. Do you see: "Denis Mayaka" at the bottom?

22 A. I see: "Denis Mayaka" against a thing that isn't Denis's  
23 email, yes.

24 Q. And, Dr. Wright, the title of the email is: Aged Shelf  
25 Company," correct?

1 A. Yes.

2 Q. "Dear Craig: We trust you are well. We received your  
3 message requesting an aged shelf company."

4 Do you see that?

5 A. I do.

6 Q. This is -- this email comes from Denis Mayaka on October  
7 16th, 2014. Do you see that?

8 A. No, because it's not his email. So if it's not his email,  
9 it doesn't come from him. Anyone can type someone's name.

10 Q. I understand you contend it's not his email. You'll have  
11 an opportunity to try to prove that later. Okay? Right now,  
12 I'd like you to focus on my questions.

13 "We received your message requesting an aged shelf  
14 company."

15 Do you see that?

16 A. I see that line.

17 Q. "Please find attached list of our shelf companies."

18 Do you see that?

19 A. I do.

20 Q. "Kindly let us know which company you would like to take."

21 Do you see that?

22 A. I do.

23 Q. Additionally, once you identify the company, please fill  
24 out the attached form and email it back to us. Do you see  
25 that?

1 A. I also do.

2 MR. FREEDMAN: Ms. Vela, can you please just scroll up  
3 to the next message.

4 BY MR. FREEDMAN:

5 Q. Dr. Wright, you respond back that same day. You say you  
6 want Tulip Trading, Limited. This is October 16th, 2014. Do  
7 you see that?

8 A. I see the line but, no, I didn't respond.

9 Q. And the formation date for the aged shelf company since  
10 it's aged, Dr. Wright, is July 21st, 2011. Do you see that?

11 A. I see the subject.

12 Q. And the IBC number for Tulip Trading, Dr. Wright, we've  
13 seen that number before, is 093344, right?

14 A. I see that number, yes.

15 Q. Same number on the trust document you swore is authentic,  
16 right?

17 A. The same trust document that went to the Australian Tax  
18 Office in 2012, yes.

19 Q. Are you saying you submitted a forged document to them too?

20 MS. MCGOVERN: Objection, Your Honor. Misstates the  
21 testimony.

22 THE COURT: Sustained.

23 MR. FREEDMAN: Ms. Vela, can you scroll up to the next  
24 email in the chain. Little higher.

25

1 BY MR. FREEDMAN:

2 Q. And, Dr. Wright, Denis Mayaka responded still that same  
3 day. He says: "Dear Craig: One-off fees of US dollars,  
4 \$1,850. Annual fees from second year onwards \$600. Does that  
5 work for you?"

6 Do you see that?

7 A. I can see that that would be an extreme discount.  
8 Everything to do with Dennis's companies cost a lot more than  
9 that, so that's wrong.

10 Q. You're right, Dr. Wright. You do end up paying a lot more  
11 than that. Let's see what happens.

12 MS. MCGOVERN: Objection, Your Honor. These  
13 statements are not statements and they're gratuitous and  
14 inappropriate.

15 THE COURT: Overruled at this point. Let's continue.

16 BY MR. FREEDMAN:

17 Q. Dr. Wright, you next respond. You say: "Yes. Please  
18 reserve it. How do I pay?"

19 Do you see that?

20 A. I see the line.

21 MR. FREEDMAN: Can you scroll up again, Ms. Vela.

22 BY MR. FREEDMAN:

23 Q. Mr. Mayaka responds back. He says: "Dear Craig, thanks.  
24 The company has been reserved for you. Please fill out the  
25 attached form and email a signed copy. I've attached our bank



1 account details for your reference. Kindly email us SWIFT  
2 payment details once available. I'm available on Skype,  
3 telephone call to complete the form together if you need my  
4 help. Please see my contact details on my email signature  
5 below. I look forward to hearing from you. Regards, Denis."

6 Do you see that.

7 A. I can see it.

8 MR. FREEDMAN: Ms. Vela, can you scroll up again,  
9 please.

10 BY MR. FREEDMAN:

11 Q. You respond back. We're now on October 17th, 2014.

12 "Sorry. I cannot see the bank details listed. Also please  
13 confirm three years at \$600 plus \$1,850 for a total of \$3,650."

14 Do you see that?

15 A. Yes. I see this would have been a real discount on a shelf  
16 company.

17 MR. FREEDMAN: Keep going up please, Ms. Vela.

18 BY MR. FREEDMAN:

19 Q. October 17th, 2014 Denis Mayaka responds: "Dear Craig,  
20 please find attached invoice and bank details. Please email us  
21 SWIFT details once available. Best regards, Denis."

22 MR. FREEDMAN: Can you go up again, Ms. Vela, please.

23 BY MR. FREEDMAN:

24 Q. Top email now, Dr. Wright, October 17th, 2014. You respond  
25 back to Denis Mayaka: "Hello. Due to the limits on the

1 account for new international transfers, this will be completed  
2 in parts. It is too late to have the bank increase the limit  
3 before Monday. Sorry. Payment one is attached, US dollars  
4 \$1,650. Payment two is scheduled for midnight tonight, US  
5 \$1,500. Payment three is scheduled for midnight tomorrow, US  
6 dollars \$1500. Invoice two will process on Monday. Regards,  
7 Craig."

8 Do you see that, Dr. Wright?

9 A. I do.

10 Q. Arranging for payment with Denis Mayaka, right?

11 A. Wrong.

12 Q. Dr. Wright, I'm going to switch us to another version of  
13 this email chain that contains some of the attachments that we  
14 were just referencing before.

15 MR. FREEDMAN: Ms. Vela, can you bring up P523 just to  
16 counsel and the witness.

17 BY MR. FREEDMAN:

18 Q. You see it's called, subject, "Payment"? You're listed as  
19 the organizer?

20 A. Yes. I don't recognize this. Sorry.

21 MR. FREEDMAN: Ms. Vela, can you zoom out, please, and  
22 go to the next page.

23 BY MR. FREEDMAN:

24 Q. You see this is the same email we've -- an email between  
25 you and Denis again talking about shareholders?

1 A. Also don't recognize it.

2 MR. FREEDMAN: Okay. Ms. Vela, can you go to the next  
3 page, please.

4 See an invoice here. Ms. Vela, can you highlight the  
5 company details for the invoice.

6 BY MR. FREEDMAN:

7 Q. You see that? You recognize that name, Tulip Trading,  
8 Limited?

9 A. Yes, and I notice that it's a different amount to the one  
10 that was before. It doesn't -- it's not the nominee of \$600.  
11 It is not a share so this is a different document.

12 MR. FREEDMAN: Ms. Vela, can you go to the next page  
13 please.

14 BY MR. FREEDMAN:

15 Q. You see again this email chain that we were looking at  
16 before? Denis Mayaka telling you he's going to send you an  
17 invoice and bank account details? We looked at this email  
18 already. Do you see that, Dr. Wright?

19 A. Yes. I see two different amounts. In the last one, it was  
20 \$2,000 for shareholder services and this one it's \$3,650, and  
21 it's completely different. Yes.

22 Q. One for shareholder services, one for buying the company,  
23 Dr. Wright.

24 MR. FREEDMAN: Ms. Vela, can you bring us to the next  
25 page.

1 And the next page?

2 BY MR. FREEDMAN:

3 Q. There we go, Dr. Wright, \$3,650. Do you see that?

4 A. I do. I don't recognize this document.

5 MR. FREEDMAN: All right. At this point, Your Honor,  
6 Plaintiffs offer P523 in evidence.

7 MS. MCGOVERN: Object, Your Honor. Authentication.  
8 The witness has not identified the document.

9 THE COURT: Overruled. I'll allow it. Admitted into  
10 evidence.

11 (Plaintiffs' Exhibit 523 received into evidence.)

12 MR. FREEDMAN: Ms. Vela, can you bring us to Page 9.

13 BY MR. FREEDMAN:

14 Q. Here, Dr. Wright, you'll see the emails we just looked at  
15 between you and Denis Mayaka.

16 MR. FREEDMAN: Ms. Vela, can you zoom in to the top  
17 half of the emails.

18 BY MR. FREEDMAN:

19 Q. Again, we've seen these emails, Dr. Wright. Company's been  
20 reserved for you, he gives you the price, he tells you the  
21 SWIFT details. You tell him: "I'm going to pay on a  
22 schedule," right?

23 A. No, I don't pay on schedules. My international transfer  
24 rate back then was \$250,000 on a new client. And 20 million  
25 without authorization. I've got a Black credit card. My

1 theoretical limit is 150 million, so I don't make  
2 thousand-dollar payments. Sorry.

3 Q. Let's just look at what the documents say. Okay? Please,  
4 Dr. Wright.

5 MR. FREEDMAN: If we go to Page 12, Ms. Vela.

6 BY MR. FREEDMAN:

7 Q. Dr. Wright, do you see this is a transfer receipt? Top  
8 left corner.

9 A. I do. I see that's what it purports to be.

10 MR. FREEDMAN: Ms. Vela, can you zoom out a little  
11 bit, please.

12 No. Zoom out.

13 There we go.

14 BY MR. FREEDMAN:

15 Q. Okay. It's from Commonwealth Bank, Dr. Wright. Do you see  
16 that in the top left corner?

17 A. I see that there's a logo there, yes.

18 Q. Transfer receipt, the date is 17th of October, 2014. Do  
19 you see that?

20 A. I see the date.

21 Q. US dollars, \$1,650, sent to Abacus Seychelles, Limited. Do  
22 you see that?

23 A. I see that.

24 Q. There's a receipt number. Do you see that?

25 A. I do.

1 Q. You're transferring to Abacus Seychelles, Limited. Do you  
2 see that?

3 A. Technically, their New York address there, and they're not  
4 in New York. So that's erroneous.

5 Q. And "My Transfer Details," Dr. Wright, at the bottom, do  
6 you see where it says: "Transfer from DeMorgan"?

7 A. No, it says: "DeMorgan" -- "DeMorgan Expenses," and that's  
8 wrong.

9 Q. And it says you sent \$1,650 US dollars. Do you see that?

10 A. No, it doesn't say that I sent that.

11 MR. FREEDMAN: Ms. Vela, can you highlight the top  
12 line in transfer details.

13 BY MR. FREEDMAN:

14 Q. That literally says you sent \$1,650 US dollars.

15 A. It doesn't say that I sent it. The line reads: "You  
16 sent," but it doesn't say from me.

17 Q. Okay. And do you see in the additional details it says:  
18 "Reason for transfer, message for recipient Invoice 393888?"

19 MR. FREEDMAN: Ms. Vela, can you highlight -- can you  
20 bring that up for us so we can see it easily.

21 BY MR. FREEDMAN:

22 Q. Do you see that, Dr. Wright?

23 A. I do.

24 Q. This is your payment transfer, is it not?

25 A. No, it is not.

1 MR. FREEDMAN: All right. Ms. Vela, can you please  
2 bring up the Invoice 393888 which is on Page 6 of this PDF.

3 Ms. Vela, can you highlight invoice number 393888  
4 right above the line on the left-hand side.

5 BY MR. FREEDMAN:

6 Q. And, Dr. Wright, there's your invoice for \$3,650 perfectly  
7 matching the amount, correct?

8 A. No. Because that's -- you can't match something that's not  
9 the other document. The other document isn't a payment from --  
10 transferred from my bank account. My bank account required two  
11 of three signatories who were directors. None of that's  
12 listed. That's not a Commonwealth Bank transfer statement. It  
13 might be a piece of paper but it's not a transfer statement.  
14 So, no, that doesn't match.

15 Q. You'll have an opportunity to prove that when your lawyers  
16 talk to you, Dr. Wright. For now, let's focus on the  
17 documents. Okay?

18 A. Well, you want me to match things -- and you're saying --  
19 but they're not.

20 Q. Dr. Wright, the invoice is issued by Abacus Seychelles.  
21 Top right corner's got their logo. Do you see that?

22 A. I don't know if that's their logo.

23 Q. "Company details, Tulip Trading, Limited."

24 Do you see that?

25 A. I do.

1 Q. "Date -- "Invoice date, October 17th, 2014." Do you see  
2 that?

3 A. Yes, I do.

4 Q. Purchase of Seychelles 2011 shelf company. Do you see  
5 that?

6 A. I do.

7 Q. So, Dr. Wright, you purchased Tulip Trading on  
8 October 17th, 2014, did you not?

9 A. No. And nor could I. As I said, the corporate accounts  
10 for DeMorgan were run by the CFO and had to be signed off as a  
11 separate process. All of the accounts went through on two  
12 monthly payments, one on the 15th, one on the 30th, unless it  
13 was like a 28th.

14 They were put through by Ali Lodi who was the accountant,  
15 and then signed off by John Chesher on the first thing. Once  
16 they went through there, it had to be then cosigned by either  
17 Ramona, my wife, myself, or Ellen Granger, who was the audit  
18 head committee. The person who would sign it on the document  
19 would be listed and the cosigner would be listed.

20 We -- that wouldn't be shared because we all had biometric  
21 thumbprint things that recorded our name. So, all of our  
22 transaction things were recorded and had the little one-time  
23 tokeny things. So I can categorically say that is not a  
24 transfer from our documents or our company. Sorry.

25 Q. Dr. Wright, you purchased Tulip Trading on October 17th,



1 2014, two years after you claim it created the Tulip Trust to  
2 hold the 1.1 million Bitcoin you now claim Dave has no right  
3 to; isn't that correct?

4 A. Multiple questions again. One, Tulip Trading was put into  
5 evidence in a court case in Australia in 2012.

6 Two, the purchase of Bitcoin was made to Tulip Trading from  
7 a Russian exchange in 2011. It wasn't mined. That was  
8 documented.

9 Three, the purchase that you're talking about here would be  
10 after the already-existing company had been part of the audits  
11 that you're talking about and, thus, if they're already part of  
12 a tax audit, what you're saying, that I've been in a tax audit  
13 for a year using this company that now this document comes up.  
14 So ...

15 Q. One more thing, Dr. Wright. We've seen that date, October  
16 17th, 2014, before, haven't we?

17 A. I've seen October 17th in many correspondences in my life,  
18 yes.

19 MR. FREEDMAN: Ms. Vela, can you put the purchase of  
20 Tulip Trading on the left-hand side on October 17th, 2014. And  
21 can you please bring up P518 which is the draft forgery of Dave  
22 Kleiman's email.

23 MS. MCGOVERN: Objection, Your Honor.  
24 Mischaracterizes the record.

25 MR. FREEDMAN: They're both in evidence.

1 THE COURT: All right. The objection is sustained.  
2 If you'll identify it.

3 MR. FREEDMAN: P518.

4 THE COURT: 518.

5 MR. FREEDMAN: It's in evidence.

6 THE COURT: Yeah, 518 is in evidence, the email.  
7 There are other parts of 518 but that is in evidence.

8 MR. FREEDMAN: Ms. Vela, can you highlight the date  
9 for me.

10 BY MR. FREEDMAN:

11 Q. Dr. Wright, October 17th, 2014 is the same date that  
12 appears in the draft email you forge from Dave Kleiman to make  
13 it look like he agreed to the trust in 2011; isn't that  
14 correct?

15 A. Not at all. And very simply, if no transfer went through,  
16 then everything stays in Wright International. So all you're  
17 doing is saying no transfer went from Wright International into  
18 Tulip Trading.

19 So, my company into my company. And your argument is I  
20 defrauded someone by leaving it in one of my companies or  
21 moving it to one of my companies from one of my companies. Not  
22 to Dave, my company.

23 Q. October 17th, 2014 was a pretty busy day for you,  
24 Dr. Wright, was it not?

25 A. No. Actually, it wasn't.

1 Q. Truth is, Dr. Wright, you forged both versions of the Tulip  
2 Trust we just looked at in order to make it seem like Dave  
3 Kleiman signed off on you owning the full 1.1 million Bitcoin  
4 that you both mined in partnership as Satoshi Nakamoto; isn't  
5 that correct?

6 MS. MCGOVERN: Objection, Your Honor. Asked and  
7 answered multiple times.

8 THE COURT: Overruled.

9 THE WITNESS: Again, this is Tulip Trading. Tulip  
10 Trading listed as purchasing Bitcoin in 2011. I purchased them  
11 from a Russian exchange. They were dodgy, I know. But  
12 everyone was dodgy in 2011 to do with the Bitcoin world. I  
13 used Liberty Reserve funds from my gaming operations. I know  
14 your government doesn't like gambling.

15 I'm not American. I transferred that money that I  
16 owned in Costa Rica and Panama and other places. And yes, I  
17 know your government doesn't like poker. I do. I transferred  
18 that to pay for things and that was then put into my company  
19 from my company.

20 So the simple answer here is the Bitcoin you're trying  
21 to say are mined have nothing to do with Bitcoin I mined in  
22 2009.

23 The simple thing is you're trying to say one million  
24 Bitcoin, Satoshi, everyone knows. Wrong. There were one  
25 million Bitcoin or so, a little bit less, and plus remainders

1 that I mined and there were one million that I bought and  
2 there's extra on top of that. So, you're wrong, wrong, and  
3 incorrect.

4 BY MR. FREEDMAN:

5 Q. Dr. Wright, Tulip Trading could not have signed a trust  
6 deed in 2012 as relates to your Bitcoin because you didn't own  
7 it until 2014, correct?

8 A. Absolutely wrong still.

9 MR. FREEDMAN: Thank you, Ms. Vela. You can take  
10 those down.

11 BY MR. FREEDMAN:

12 Q. Dr. Wright, isn't it true that after Dave's death you took  
13 actual control over all 1.1 million Bitcoin?

14 A. Again, you're talking about the Bitcoin that I purchased --  
15 if you're doing that one at that stage, that I purchased using  
16 my money from my companies in 2011 and that I put into  
17 basically a thing to make sure the government couldn't touch  
18 it. The reason I did this was very simple. My lawyer at the  
19 time, Andrew Sommer, alerted me, saying that with the court  
20 case I had been fighting since 2009, the tax office had issued  
21 bankruptcy proceedings. Bankruptcy proceedings that would have  
22 effectively put an administrator over my estate, meaning that  
23 the court case I later won would have been closed.

24 The dirty tactics that the damn government in Australia did  
25 was to try and close my company -- stop my court case before I

1 won it. The way they wanted to stop my court case was  
2 basically to screw me over by bankrupting me, which they didn't  
3 get to do. I won. And basically I had Dave help me ensure  
4 that nothing was in my control so that they couldn't bankrupt  
5 me. That's the real story.

6 Q. Dr. Wright, within months of Dave's death, you told a  
7 prospective counter-party for a business transaction that your  
8 companies controlled a little over 1 million Bitcoin, did you  
9 not?

10 A. At one stage, they controlled over one million Bitcoin.  
11 That was again talking about Tulip Trading. We did not discuss  
12 anything to do with the 800-something thousand in Wright. We  
13 didn't discuss any other rights we owned.

14 We talked about one thing for one company and that was  
15 discussed before Dave died, as well as when people asked on  
16 that particular area afterwards.

17 MR. FREEDMAN: Ms. Vela, can you please bring up P091  
18 for the witness and counsel.

19 BY MR. FREEDMAN:

20 Q. Dr. Wright, do you recognize this as an email between  
21 yourself and Roger Manu describing the amount of Bitcoin you  
22 controlled?

23 A. Again, no. We're talking about the Bitcoin in a particular  
24 company.

25 MR. FREEDMAN: Plaintiffs offer P091 into evidence,

1 Your Honor.

2 THE COURT: Any objection?

3 MS. MCGOVERN: No objection, Your Honor.

4 THE COURT: Admitted into evidence.

5 (Plaintiffs' Exhibit 091 received into evidence.)

6 MR. FREEDMAN: Can we publish to the jury, please?

7 BY MR. FREEDMAN:

8 Q. Dr. Wright, we're looking at an email from yourself to  
9 Roger Manu, a company called Rubik. The date is September  
10 23rd, 2013. We're about five months after Dave dies, correct?

11 A. It's about that time frame, yes.

12 MR. FREEDMAN: Ms. Vela, can you highlight: "We  
13 control what is all up a little over 1 million Bitcoin."

14 THE WITNESS: Is that a question?

15 MR. FREEDMAN: Just waiting for the highlight,  
16 Dr. Wright.

17 BY MR. FREEDMAN:

18 Q. Do you see that, Dr. Wright?

19 A. I see that, yes.

20 Q. In fact, Dr. Wright --

21 MR. FREEDMAN: Thank you, Ms. Vela. You can take that  
22 down.

23 BY MR. FREEDMAN:

24 Q. In fact, Dr. Wright, you told the Australian government  
25 that you obtained Dave's Bitcoin after he died, did you not?

1 A. No, I did not.

2 MR. FREEDMAN: Ms. Vela, can you please bring up P633  
3 for just the witness and opposing counsel?

4 I don't know if this is in evidence. Is P633 in  
5 evidence? P633.

6 BY MR. FREEDMAN:

7 Q. In the meantime, Dr. Wright, do you see it's an email from  
8 yourself to Michael Hardy at the Australian Tax Office with a  
9 cc to your wife? In it, you discuss Bitcoin addresses and Dave  
10 Kleiman himself. Do you see that?

11 A. It's a cc to Jamie Wilson and my wife.

12 Q. Do you see that, Dr. Wright?

13 A. I see that it is, yes.

14 MR. FREEDMAN: Plaintiffs' offer P633 into evidence,  
15 Your Honor.

16 MS. MCGOVERN: No objection, Your Honor.

17 THE COURT: Admitted into evidence.

18 (Plaintiffs Exhibit 633 received into evidence.)

19 BY MR. FREEDMAN:

20 Q. Dr. Wright, do you see a list of Bitcoin addresses?

21 A. I do.

22 Q. You see the total down there, 416,000, then the bunch of  
23 other totals below that?

24 A. I do.

25 MR. FREEDMAN: Ms. Vela, can you please highlight the

1 portion of the email where Dr. Wright tells the Australian Tax  
2 Office: "The addresses are in my control now as a matter of  
3 fate and other circumstances. David Reese and David Kleiman  
4 have both been essential parts of this project."

5 BY MR. FREEDMAN:

6 Q. Do you see that?

7 A. I do.

8 Q. Dr. Wright, when you said: "These addresses are now in my  
9 control as a matter of fate and other circumstances," you meant  
10 because Dave died, did you not?

11 A. No, I did not.

12 MR. FREEDMAN: Ms. Vela, can you please play clip 44  
13 from Dr. Wright's March 18th, 2020 deposition.

14 (Video played.)

15 BY MR. FREEDMAN:

16 Q. Dr. Wright --

17 MR. FREEDMAN: Ms. Vela, can you please bring up P633  
18 again?

19 This is in evidence. Thank you.

20 And highlight: "These addresses are in my control now  
21 as a matter of fate and other circumstances. David Reese and  
22 Dave Kleiman were both essential parts of this project. Dave  
23 Kleiman was my best friend."

24 Thank you, Ms. Vela.

25



1 BY MR. FREEDMAN:

2 Q. Dr. Wright, you conveyed to the ATO that you picked up  
3 Bitcoin ownership from Dave Kleiman, did you not?

4 A. No. Actually I came nowhere close to doing anything like  
5 that.

6 MR. FREEDMAN: Ms. Vela, can you please bring up P127.  
7 And can we go to Page 31?

8 I believe P127 is in evidence.

9 MS. MCGOVERN: It is.

10 MR. FREEDMAN: Can we publish to the jury, please.

11 And, Ms. Vela, can you zoom in on 1 through 15 or so.

12 Okay. That works.

13 BY MR. FREEDMAN:

14 Q. Dr. Wright, this is Mr. Dolevski from the Australian  
15 Taxation Office talking. He says: "We thought" --

16 MR. FREEDMAN: Ms. Vela, can you highlight from there.

17 BY MR. FREEDMAN:

18 Q. "We thought" --

19 MR. FREEDMAN: Three lines up from the bottom.

20 BY MR. FREEDMAN:

21 Q. "We thought, yes, you have picked up some Bitcoin ownership  
22 from the deceased director. So we are trying to, you know, get  
23 the picture and connect all the dots."

24 Do you see that?

25 A. I see another document that you're purporting to be a

1 document from the ATO that isn't. Yes. And, no, he didn't say  
2 that.

3 MR. FREEDMAN: Thank you, Ms. Vela. You can put that  
4 down.

5 BY MR. FREEDMAN:

6 Q. Dr. Wright, after you assumed control of Dave Kleiman's  
7 share of the Bitcoin and forged trust documents, you took other  
8 steps to protect the assets you took; isn't that correct?

9 MS. MCGOVERN: Objection, Your Honor.  
10 Mischaracterizes the evidence in the record.

11 THE COURT: Sustained.

12 BY MR. FREEDMAN:

13 Q. Dr. Wright, you took other steps to protect assets. Is  
14 that not correct?

15 A. I've taken steps to protect my family's assets all through  
16 my life right back from the 90s protecting my mother's assets,  
17 protecting my sister's assets, so yes, I protect my family's  
18 assets.

19 Q. And you purposely made sure they weren't a trustee of these  
20 trusts because then people could force you to move coins and  
21 could seize assets from you; isn't that correct?

22 A. That is incorrect in so many ways.

23 MR. FREEDMAN: Your Honor, we're seeking to impeach  
24 Dr. Wright with an exhibit that again is an impeachment-only  
25 exhibit and it's a video.

1 MS. MCGOVERN: Citation?

2 MR. FREEDMAN: It's a video. It's an impeachment  
3 exhibit.

4 MS. MCGOVERN: Can we see if it's proper impeachment,  
5 Mr. Freedman? Hasn't been proper impeachment along the way.

6 MR. FREEDMAN: The Court's rules don't require --

7 MS. MCGOVERN: We would --

8 MR. FREEDMAN: The Court's rules don't require listing  
9 of impeachment exhibits.

10 MS. MCGOVERN: If, in fact --

11 THE COURT: All right. In fairness, why don't you  
12 provide Ms. McGovern the page and line before you play it to  
13 the jury.

14 MR. FREEDMAN: It's a YouTube video, Your Honor.

15 THE COURT: All right. Do you have the number?

16 MR. FREEDMAN: It's a YouTube video.

17 THE COURT: And Ms. McGovern hasn't seen it?

18 MR. FREEDMAN: It's an impeachment exhibit. The Court  
19 doesn't require disclosure of those exhibits, Your Honor.

20 MS. MCGOVERN: That's a position that's different  
21 than --

22 THE COURT: Do you have a date for her, so at least  
23 she --

24 MR. FREEDMAN: It's January 23rd, 2020, a  
25 Cointelegraph Interview with Dr. Craig Wright.

1 MS. MCGOVERN: Your Honor, it's -- we would like to  
2 have an opportunity to look at this impeachment, particularly  
3 because we may have other objections. I thought this was a  
4 deposition clip so it's a completely different issue, Your  
5 Honor. We could have time to take a look at it and bring that  
6 up tomorrow morning.

7 THE COURT: I agree. I agree. We're not going to  
8 conclude tonight so let's move to another topic and you can  
9 review that this evening.

10 MR. FREEDMAN: Your Honor, I can show Ms. McGovern the  
11 exact script text of what we're going to play.

12 THE COURT: All right.

13 MS. MCGOVERN: I'd like to see the YouTube video, Your  
14 Honor, for purposes of prejudice and others. Just looking at  
15 the text is not sufficient, Your Honor. I'd like an  
16 opportunity to review.

17 THE COURT: If it's Dr. Wright on the video, then I  
18 think it is the text that is important.

19 MS. MCGOVERN: I'm just saying we haven't seen it so  
20 to the extent --

21 THE COURT: I understand.

22 MS. MCGOVERN: -- if it's over-inclusive.

23 (Pause in proceedings.)

24 MS. MCGOVERN: Your Honor, this is out of context. We  
25 object to the use of it. It's unduly prejudicial. It's being

1 used for a purpose we don't believe is proper, Your Honor.  
2 We'd like an opportunity to address this with the Court.

3 THE COURT: All right. For purposes of the Rule of  
4 Completeness, if it is being taken out of context, I am going  
5 to give Ms. McGovern an opportunity to review it and let's move  
6 on. You certainly will have the opportunity tomorrow.

7 BY MR. FREEDMAN:

8 Q. Dr. Wright, you have claimed now to have more money than  
9 the country of Rwanda; is that not true?

10 MS. MCGOVERN: Objection, Your Honor. Unduly  
11 prejudicial. Relevance.

12 THE COURT: Overruled. You may answer the question.

13 THE WITNESS: I was sitting in a group of African  
14 countries trying to help them actually create digital money for  
15 their people. And I got angry when a whole lot of people from  
16 EOS and other things basically did a whole pump-and-dump scam  
17 on them. And those people in those countries ended up losing  
18 money. So yes, when I was angry, I actually said that.

19 BY MR. FREEDMAN:

20 Q. And do you have more country -- you have more money than  
21 the country of Rwanda, correct?

22 A. Yes.

23 Q. And, Dr. Wright, you claim to be a multi-billionaire now;  
24 is that not correct?

25 MS. MCGOVERN: Objection, Your Honor. Relevance.

1 THE COURT: Sustained.

2 MR. FREEDMAN: Your Honor, can we approach for a  
3 moment?

4 MS. MCGOVERN: Your Honor, can we take this up --

5 THE COURT: Why don't we take it up in five minutes  
6 when we're going to adjourn for the day.

7 MS. MCGOVERN: Thank you.

8 MR. FREEDMAN: Then I have no more questions for  
9 today, Your Honor.

10 THE COURT: There isn't another area that you could  
11 move to, or have you concluded your direct examination with the  
12 exception of the video and this issue?

13 MR. FREEDMAN: I could move forward, Your Honor, and  
14 I'm happy to, but I would stop in the middle of a section. If  
15 you want me to go forward, I will.

16 THE COURT: We have five minutes. Could we just start  
17 and ...

18 BY MR. FREEDMAN:

19 Q. Okay. Dr. Wright, you were in touch with Robert MacGregor  
20 in early 2016?

21 A. At different points, yes.

22 Q. And Robert MacGregor wanted you to come out as Satoshi; is  
23 that correct?

24 A. He wanted to script a media outing, yes.

25 Q. Did Robert MacGregor want you to come out as Satoshi

1 Nakamoto?

2 A. I can't speak for Robert MacGregor.

3 MR. FREEDMAN: Ms. Vela, can you please play clip 992  
4 of Dr. Wright's deposition from March 16th, 2020?

5 (Video played.)

6 BY MR. FREEDMAN:

7 Q. Dr. Wright, specifically, Robert MacGregor hired PR  
8 consultants to help coordinate press events to facilitate you  
9 coming out as Satoshi Nakamoto; am I correct?

10 MS. MCGOVERN: Objection. Foundation. Lack of  
11 predicate, Your Honor.

12 THE COURT: Overruled.

13 THE WITNESS: I don't actually know. I know I got  
14 really angry with Robert MacGregor. I know he did a whole lot  
15 of things I didn't like. I know there were PR people hired. I  
16 know that media things were done. I do not know all of the  
17 details.

18 I know that a lot of people scripted my life at the  
19 time and I know that while I was in different countries  
20 doing -- like working, people planned things I didn't want  
21 because I allowed things to get out of control.

22 MR. FREEDMAN: Ms. Vela, can you play please clip  
23 number 93 from Dr. Wright's deposition.

24 (Video played.)

25

1 BY MR. FREEDMAN:

2 Q. Dr. Wright, Robert MacGregor wanted this media plan so he  
3 could quickly sell off nChain, correct?

4 MS. MCGOVERN: Objection.

5 THE COURT: The basis?

6 MS. MCGOVERN: Predicate, Your Honor. Lack of  
7 foundation. There's nothing in the record.

8 THE COURT: Overruled. If the witness knows.

9 THE WITNESS: As I said, I don't know whether it was  
10 really Robert MacGregor. Robert MacGregor and I rub the wrong  
11 way is what -- I mean, he makes me particularly angry. We  
12 don't get on at all. He -- he's worse than you in those  
13 depositions with me.

14 I really -- I'm trying to say it without sounding  
15 Australian and swearing. Let's just say I really don't like  
16 MacGregor and I probably blamed him more than he should be  
17 blamed.

18 BY MR. FREEDMAN:

19 Q. Did he want a media plan to sell off nChain?

20 A. I actually don't know. I don't know if it was him or  
21 others behind him.

22 Q. All right. Dr Wright, do you recall Nick Caley being one  
23 of the people being employed for The Outside Organisation of  
24 those PR events of you coming out as Satoshi Nakamoto?

25 A. That isn't an exact characterization. Nick was -- I don't



1 know how Nick was involved. I don't know if it was actually  
2 working for them, or consulting or -- so I don't really know.

3 MR. FREEDMAN: Ms. Vela, can you please bring up P630  
4 for just the witness and counsel.

5 BY MR. FREEDMAN:

6 Q. Dr. Wright, you see this is an email from yourself  
7 commenting on an email from Victoria Brooks?

8 MR. FREEDMAN: And, Ms. Vela, can you bring us down to  
9 Page 4.

10 THE WITNESS: I don't actually see that it's from me.  
11 It says: "NChain Craig," but that doesn't mean --

12 MS. MCGOVERN: Objection. The exhibit is not in  
13 evidence at this point.

14 MR. FREEDMAN: It is not.

15 MS. MCGOVERN: Object to the use -- to the reference  
16 of the substantive nature of it until it is.

17 THE COURT: I don't think there was a question  
18 pending. It was a gratuitous comment by the witness.

19 MS. MCGOVERN: I agree. I agree.

20 THE COURT: All right.

21 MR. FREEDMAN: Ms. Vela, can you highlight the first  
22 name that appears after the word contacts.

23 All the way down. Thank you.

24 BY MR. FREEDMAN:

25 Q. Dr. Wright, does that refresh your recollection that Nick

1 Caley was a media consultant with The Outside Organisation?

2 A. No, because nChain Craig isn't -- that's not my email. So  
3 there are other Craigs, but that's not mine. I don't recognize  
4 it.

5 MR. FREEDMAN: Okay. Ms. Vela, can you please bring  
6 up P236.

7 BY MR. FREEDMAN:

8 Q. And, Dr. Wright, do you recognize this as again another  
9 email between you and Victoria Brooks including Nick Caley from  
10 The Outside Organisation?

11 A. I don't.

12 Q. And you are discussing Satoshi in these emails. Do you see  
13 that?

14 A. I don't recognize this email.

15 THE COURT: This was withdrawn. Is this a Joint  
16 Exhibit? It's showing on the Plaintiffs' list as being  
17 withdrawn.

18 MR. FREEDMAN: I'm just trying to refresh  
19 recollection, Your Honor.

20 THE COURT: You're not seeking --

21 MR. FREEDMAN: I'm not seeking to admit it.

22 THE COURT: All right. Thank you.

23 MR. FREEDMAN: Actually, Your Honor, I'm trying to  
24 establish foundation for a further document down the line. So  
25 this -- trying to establish who Nick Caley is first. Trying to

1 refresh Dr. Wright's recollection as to who Nick Caley was and  
2 that's all this document will be used for.

3 THE COURT: All right.

4 BY MR. FREEDMAN:

5 Q. Dr. Wright --

6 MR. FREEDMAN: Thank you, Ms. Vela.

7 BY MR. FREEDMAN:

8 Q. Dr. Wright, do you recall that as part of these publicity  
9 efforts you were scheduled to meet with a variety of  
10 journalists?

11 A. I ended up meeting with a few journalists, yes.

12 MR. FREEDMAN: Ms. Vela, can you please bring up P359.

13 And you know what, Ms. Vela? Can you take that down  
14 for a moment.

15 BY MR. FREEDMAN:

16 Q. And do you recall that these media organizations were  
17 attempting to prepare you for various interviews?

18 A. No. That's not how I would say it.

19 THE COURT: Let me know when it might be a good time  
20 for us to adjourn for the day.

21 MR. FREEDMAN: Whenever works for the Court, Your  
22 Honor. Now is fine.

23 THE COURT: Then, Ladies and Gentlemen, as you can  
24 see, it is a few minutes after 5:00. We're going to adjourn  
25 for the evening. Please remember you're not to discuss the

1 case with anyone, nor permit anyone to speak to you.

2 Everything learned about the case is learned within this  
3 courtroom. You're not to conduct any outside research.

4 I will see you tomorrow morning. Please make your way  
5 into the building. Be ready to come into the courtroom by  
6 10:00, so if you'll come into the building about 9:45, 9:50.

7 Have a pleasant evening and I'll see you tomorrow  
8 morning.

9 (Jury not present, 5:04 p.m.)

10 THE COURT: Dr. Wright, you can join your attorneys at  
11 counsel table.

12 THE WITNESS: Thank you, Your Honor.

13 THE COURT: And with regard to the YouTube video, why  
14 don't you show or at least provide the link for Ms. McGovern  
15 and we can address it if need be tomorrow morning.

16 What other issues do we have?

17 MS. MCGOVERN: I've received it, Your Honor. Thank  
18 you very much.

19 MR. FREEDMAN: The only other issue, Your Honor, is  
20 that --

21 THE COURT: Go ahead and have a seat, please.

22 Yes, Mr. Freedman, what other issues, sir?

23 MR. FREEDMAN: Your Honor, the only other issue is  
24 that this case involves a claim for punitive damages. In a  
25 claim for punitive damages, the net worth of the Defendant is

1 at issue. And so Plaintiffs are seeking to introduce  
2 statements by the Defendant himself stating that he's a  
3 multi-billionaire and other comments to advise the jury of net  
4 worth for the punitive damages claim. So, Ms. McGovern  
5 objected on relevance.

6 MS. MCGOVERN: Yeah, Your Honor. We object to net  
7 worth, you know, testimony elicited at this juncture. There's  
8 been nothing in the record that has linked the Plaintiffs'  
9 claim to a single public address of Bitcoin. There's been  
10 nothing in this case that links a single identifiable piece of  
11 intellectual property to David Kleiman. And --

12 THE COURT: That's somewhat beside the point. And the  
13 argument is that there is a claim for punitive damages. So why  
14 would that not be relevant?

15 MS. MCGOVERN: Your Honor, we understand. But we  
16 believe that at this juncture, punitive damages net worth  
17 testimony in the absence of any evidence in the case with  
18 respect to the underlying claims is unduly prejudicial. It's  
19 going to lead the jury to believe that simply because  
20 Dr. Wright may have the rights to what is an enormous amount of  
21 Bitcoin, it is going to sway the jury and cause the jury to be  
22 sympathetic on the claims before them without first  
23 adjudicating whether, in fact, the claims exist.

24 At this juncture, without the requisite predicate of  
25 the underlying intellectual property -- and there is not a

1 single piece of intellectual property that's been  
2 established -- without a single public address with Bitcoin.

3 In fact, Your Honor, I'd like to raise, in light of  
4 the fact that we're addressing punitive damage testimony and  
5 evidence in this case at this juncture, we have been not  
6 advised if the confidential witness is even going to be  
7 testifying with respect to the particular public address that  
8 is not claimed to be owned by Dr. Wright, but is now -- somehow  
9 appears to be part of a public address with an enormous amount  
10 of Bitcoin that's going to become part of the Plaintiffs'  
11 claim. It's convoluted, Your Honor. It's unduly prejudicial.  
12 It's premature.

13 MR. FREEDMAN: Your Honor, I would object strongly to  
14 the characterization that there's been no evidence that there  
15 was joint Bitcoin mining in this case and the creation of  
16 intellectual property. Defendants will have an opportunity to  
17 move for directed verdict, and certainly this Court will not be  
18 persuaded by net worth testimony. And so if there really has  
19 been no evidence, the Court will ensure the case does not  
20 proceed further.

21 At this point, there was no motion to bifurcate the  
22 trial to bifurcate punitives from compensatories. Punitive  
23 damages is a live claim in this action, and it is quite clear  
24 that net worth evidence is permissible and relevant to the  
25 claims at issue.

1 MS. MCGOVERN: Your Honor, if I may be heard on a  
2 final point?

3 THE COURT: Ms. McGovern?

4 MS. MCGOVERN: And that is that the evidence that's  
5 being elicited with respect to net worth at this juncture is  
6 not to establish the necessity for punitive damages at this  
7 point. It is to sway the jury on sympathy grounds.

8 And in light of the fact that there is an enormous  
9 disparity, we have a deceased individual and we have a person  
10 who is alive and we have an alleged amount of Bitcoin. It is  
11 going to be prejudicial. It is 403. It's improper and it's  
12 also unnecessary, Your Honor.

13 There is a procedure that can provide the Plaintiffs  
14 at the proper time with the evidence that they need when the  
15 jury is properly going to decide it. At this point, there's  
16 nothing that's going to happen here except an unfair bias  
17 against Dr. Wright. And we've seen that with respect to the  
18 YouTube video and with respect to the comment regarding having  
19 more money than Rwanda.

20 THE COURT: But when you represent to the Court that  
21 there's a procedure that is necessary, that's what this trial  
22 is for. The parties had a full opportunity during the course  
23 of discovery to file a motion with regard to bifurcating this  
24 issue.

25 Certainly, the Court could have addressed the issue of

1 punitive damages. And I look at both parties' proposed verdict  
2 forms, and it states specifically on the verdict form that has  
3 been submitted by both parties: "If you found in favor of the  
4 Estate of Dave Kleiman and/or W&K Info Defense Research, LLC  
5 for their conversion, fraud, or constructive fraud claims, then  
6 you must decide whether punitive damages are appropriate. And  
7 if so, evaluate the amount of punitive damages to award to the  
8 Estate of David Kleiman and/or W&K Info Defense Research."

9 So, to the extent that evidence is properly presented  
10 with regard to punitive damages, I agree that net worth and  
11 assets that may be available is certainly admissible at the  
12 time of trial.

13 And if there is no evidence, as you say, Ms. McGovern,  
14 then the Court will address that at close of either the  
15 Plaintiffs' case or the close of all the evidence. But at this  
16 point, I don't see why 403 would bar it when its relevance is  
17 certainly not a remote concept. It certainly outweighs any  
18 danger of unfair prejudice when it's a direct issue in this  
19 case, and the Court will be instructing the jury in that  
20 regard.

21 MS. MCGOVERN: Your Honor, if I may make a final point  
22 because I understand we obviously have a record to make as  
23 well, Your Honor. So, for purposes of being able to fully make  
24 that record, I'd like to state the following: We understand  
25 that there are procedures and there is timing for things to be



1 done and that's been raised multiple times. So to the extent  
2 that we have missed that mark in certain points -- I don't  
3 believe that we have, but that doesn't mean that at a given  
4 juncture in a trial -- you can recognize that the circumstances  
5 of that trial, the evidence that's been elicited in the trial,  
6 don't require an evaluation of what is appropriate.

7 At this point, Your Honor, we object to the  
8 elicitation of what Dr. Wright's net worth is for purposes of  
9 punitives when we haven't seen anything that shows the Bitcoin  
10 that Dave Kleiman is entitled to or intellectual property that  
11 Dave Kleiman contributed to that has an ascertainable value and  
12 damages that can be ascertainable.

13 So, for purposes of eliciting that testimony now, we  
14 believe there's only one result that can happen. It's  
15 certainly not probative value for the Plaintiffs in terms of  
16 being able to establish damages at this point, Your Honor.  
17 It's for purposes of establishing the disparity and the  
18 sympathy with a deceased individual and a wealthy one.

19 THE COURT: But you have not presented to the Court  
20 any evidence or really by way of any case law or other support  
21 that would tell the Court that Mr. -- or Dr. Wright's net worth  
22 or the amount of Bitcoin that he may hold and the value of same  
23 would not be admissible in evidence.

24 MS. MCGOVERN: No, Your Honor.

25 THE COURT: I mean, there's no authority for that at

1 this point when punitive damages are a direct issue. I know  
2 you're making the argument, but there's no evidence. And  
3 that's an argument to be made at the close of the Plaintiffs'  
4 case.

5 But that's somewhat separate and apart from whether  
6 the Plaintiff has the opportunity to present evidence of  
7 Dr. Wright's net worth and the amount of Bitcoin or other  
8 property he may hold.

9 MS. MCGOVERN: Your Honor, if I may, I think this is  
10 an unusual case. In fact, we've seen with respect to the  
11 electronic devices, that they didn't even want to bring them  
12 because of the concern with respect to those devices.

13 We've also had procedures to seal the courtroom for an  
14 individual, a non-party, because of the concern over Bitcoin.  
15 This is an unusual case. The Bitcoin actually has an unusual  
16 value, and everybody's watching.

17 So, to the extent that 403 applies to a non-party  
18 confidential witness, to the extent 403 applies to direct  
19 physical evidence that perhaps contains Bitcoin, but it's  
20 encrypted and we can't even show the jury, we think at a  
21 minimum, Your Honor, it applies to the Defendant whose evidence  
22 with respect to his net worth is not necessary at this  
23 juncture.

24 So, to the extent, Your Honor, that I need to make a  
25 motion to bifurcate that evidence at this juncture to preserve

1 that right so that the evidence and the facts of this case are  
2 decided objectively without sympathy, I would ask the Court to  
3 consider that.

4 THE COURT: I set a deadline long ago for the parties.

5 MS. MCGOVERN: I understand.

6 THE COURT: I have addressed in over 700 filings in  
7 this case many motions that the parties have filed and the  
8 Court has addressed -- Judge Reinhart has addressed, I've  
9 addressed -- and the time for filing a motion to bifurcate that  
10 issue has long passed.

11 So, if there's some case law that the Court should  
12 consider that would take this case out of the realm of cases  
13 where the Plaintiffs are seeking not only compensatory damages  
14 but punitive damages with regard to certain claims, you can  
15 provide that case law to the Court.

16 MS. MCGOVERN: Thank you, Your Honor.

17 THE COURT: But absent that, you certainly have the  
18 right to inquire.

19 MS. MCGOVERN: We very much appreciate the opportunity  
20 to do that. And again, Your Honor, it really is -- it's not a  
21 goose/gander. It's just level playing field. We've seen 403  
22 applied in other circumstances. I think 403 -- Rule 403 is  
23 directly in play here. We'll see if we can provide Your Honor  
24 with case law that can perhaps, you know, shed light on that  
25 and, you know, essentially support what we're seeking here,

1 which, frankly, we don't think prejudices the Plaintiff.

2 THE COURT: Well, I mean, the only -- I would suggest  
3 that if there is an issue with regard to the amount of  
4 information or the type of information, then perhaps the  
5 parties can stipulate with regard to a certain amount of  
6 Bitcoin or value or net worth and that would certainly obviate  
7 the need to move forward with an extensive examination in that  
8 area, but I'll leave that to the attorneys.

9 And with regard to any case law that would tell the  
10 Court that this case should be treated any differently with  
11 regard to the presentation of evidence related to punitive  
12 damages, I'm happy to consider it, as I was happy to consider  
13 the case law today.

14 MS. MCGOVERN: Thank you, Your Honor. And again,  
15 another point that needs to be made here, Your Honor, also, is  
16 simply we're talking about an individual and his family, right?  
17 Who is traveling here for purposes of defending this case.

18 And to the extent that there's concern that others  
19 have raised with respect to that issue, certainly that same  
20 concern applies to Dr. Wright and his family.

21 MR. FREEDMAN: Your Honor, if I may, shortly. Two  
22 things.

23 One, statements that we were about to introduce are  
24 very public statements by Dr. Wright that he is a billionaire.

25 Two, Ms. McGovern's argument would mean that any

1     billionaire would have a prejudicial argument to be made when  
2     punitive damages are in play because his net worth is  
3     astronomical.

4             Third, Your Honor, the only thing I would say is I  
5     suspect we will finish the examination of Dr. Wright tomorrow.  
6     So, to the extent Ms. McGovern has case law, can she please  
7     present it tomorrow morning before we start?

8             MS. MCGOVERN: Of course, Your Honor.

9             THE COURT: All right. And once again, you can come  
10    to an agreement and it can be by way of a stipulation so that  
11    you can avoid many of the questions that you might want to ask,  
12    but --

13            MR. FREEDMAN: We'd be happy to review a stipulation,  
14    Ms. McGovern.

15            MS. MCGOVERN: Perfect. Thank you so much, Your  
16    Honor.

17            THE COURT: Okay. Is there anything else that we need  
18    to address?

19            I'm going to see parties shortly before 10:00 tomorrow  
20    morning. All right?

21            MR. FREEDMAN: Thank you, Your Honor.

22            THE COURT: Anything further on behalf of the  
23    Plaintiffs?

24            MR. FREEDMAN: No, Your Honor.

25            THE COURT: On behalf of the Defendant?

1 MS. MCGOVERN: No, Your Honor.

2 THE COURT: Okay. Have a pleasant evening. See you  
3 tomorrow morning.

4 (Proceedings concluded at 5:16 p.m.)

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1 UNITED STATES OF AMERICA )

2 ss:

3 SOUTHERN DISTRICT OF FLORIDA )

4 C E R T I F I C A T E

5 I, Yvette Hernandez, Certified Shorthand Reporter in  
6 and for the United States District Court for the Southern  
7 District of Florida, do hereby certify that I was present at  
8 and reported in machine shorthand the proceedings had the 9th  
9 day of November, 2021, in the above-mentioned court; and that  
10 the foregoing transcript is a true, correct, and complete  
11 transcript of my stenographic notes.

12 I further certify that this transcript contains pages  
13 1 - 247.

14 IN WITNESS WHEREOF, I have hereunto set my hand at  
15 Miami, Florida this 18th day of November, 2021.

16  
17 /s/Yvette Hernandez  
18 Yvette Hernandez, CSR, RPR, CLR, CRR, RMR  
19 400 North Miami Avenue, 10-2  
20 Miami, Florida 33128  
21 (305) 523-5698  
22 yvette\_hernandez@flsd.uscourts.gov  
23  
24  
25

**COURTROOM DEPUTY:**

**[3]** 3/14 61/13  
61/16

**MR. BRENNER: [5]**  
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168/4 168/8

**MR. FREEDMAN:**  
**[426]**

**MR. KASS: [1]**  
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**MR. LAGOS: [1]**  
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**MR. MESTRE: [1]**  
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**MR. RIVERO: [9]**  
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**MR. ROCHE: [1]**  
3/22

**MR. ZACK: [1]**  
3/23

**MS. MCGOVERN:**  
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**THE COURT: . . .**

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**THE WITNESS: [38]**

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**\$****\$1,500 [1]** 210/5**\$1,650 [4]** 210/4

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**'And [1]** 39/10**'Dave [1]** 84/22**'It [1]** 84/25**.****.PDF [1]** 184/8**/****/s/Yvette [1]**

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<b>who</b> [40] 4/1 4/14	68/23 69/12 69/12	<b>Wilson</b> [2] 34/17
12/10 14/22 20/20	69/14 102/11	223/11
47/21 56/3 56/8	102/16 102/17	<b>Winklevoss</b> [3]
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95/23 100/15	112/20 113/16	<b>Wins</b> [1] 68/5
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136/2 136/3 136/4	216/17 223/9	129/10 130/1 132/2
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162/2 168/10 177/4	<b>wife's</b> [2] 69/3	132/11 134/23
181/16 190/20	158/20	<b>wiped</b> [4] 8/15
197/24 198/2 198/3	<b>Wiki</b> [2] 170/10	127/17 127/18
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216/14 216/17	<b>will</b> [69] 7/18 9/1	<b>wiping</b> [2] 130/6
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<b>whoever</b> [1] 75/20	51/17 57/12 64/22	<b>within</b> [5] 5/5
<b>WHOIS</b> [2] 92/1	67/13 68/4 88/1	109/7 172/4 221/6
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<b>WHOIS.org</b> [1]	103/25 104/13	<b>without</b> [20] 8/17
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<b>whole</b> [8] 25/15	121/16 124/17	70/1 70/16 93/7
25/17 94/8 139/20	124/22 127/14	155/8 160/5 162/2
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<b>Whom</b> [1] 187/18	151/1 161/8 161/9	212/25 232/14
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<b>whose</b> [2] 153/11	176/20 178/22	24/17 33/5 40/15
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<b>why</b> [21] 26/11	191/24 193/2	71/11 73/9 76/20
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127/18 166/24	229/6 230/15 235/2	117/12 119/4 130/9

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<b>witness...</b> [22]	<b>worry</b> [2]	195/24 196/4
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166/20 172/25	113/21 114/3	216/19 217/9
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191/21 204/20	9/12 9/12 9/13	227/7 228/1 230/14
210/16 212/8	26/8 236/25 237/4	235/18 237/14
221/18 223/3 232/8	237/7 237/16	238/13 240/16
233/4 233/18 238/6	238/18 238/24	241/21 241/23
242/18 247/14	239/5 240/10 241/8	243/2 243/12 244/2
<b>woman</b> [2] 17/7	241/21 242/7	244/6 244/9 244/25
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<b>words</b> [6] 130/1	69/25 69/25 70/2	109/12 114/21
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<b>work</b> [10] 8/17	89/10 89/12 91/11	231/4 231/23 235/1
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156/17 162/2 208/5	106/3 107/15 109/9	16/19 37/18
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<b>working</b> [7] 8/9	115/19 117/15	85/13 199/13
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225/12 235/21	141/18 148/4	<b>wrong</b> [20] 8/22
<b>world</b> [9] 9/6	153/13 154/14	8/23 15/12 43/22
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	177/9 182/3 182/3	208/9 210/11 214/8



<b>W</b>	53/7 54/16 55/4	159/9 159/11
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219/24 220/2 220/2	61/17 61/18 61/20	170/5 172/20
220/8 232/10	63/25 64/2 64/20	172/23 173/18
<b>wrote</b> [10]	64/22 67/6 67/9	174/19 175/1
63/13	67/15 67/17 68/7	176/25 177/3 177/8
65/13 67/4 83/17	68/11 69/8 69/10	178/2 178/5 179/1
83/19 83/25 84/1	69/15 69/19 70/5	180/1 180/18
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<b>wyno.ca</b> [1]	77/14 77/16 77/19	183/21 183/24
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<b>yeah</b> [9]	78/21 79/2 79/12	186/19 187/8 188/3
37/9	80/6 81/4 81/17	188/3 189/9 190/3
143/16 144/22	81/20 81/22 83/7	194/21 194/22
168/1 179/21	83/9 83/11 84/14	195/7 195/9 196/21
180/17 199/1 218/6	84/23 85/3 88/3	197/4 197/10
237/6	88/11 91/23 91/25	197/14 198/20
<b>year</b> [9]	93/2 93/9 93/18	199/8 200/6 201/9
20/13	93/22 96/18 96/22	201/12 201/14
20/16 22/20 27/15	97/9 98/3 98/15	204/24 205/23
170/15 192/21	98/18 100/5 100/14	206/1 207/14
204/14 208/4	100/18 101/12	207/18 208/17
217/13	104/13 104/18	209/15 210/20
<b>years</b> [14]	106/22 111/10	211/9 211/19
8/24	111/15 112/5	211/21 213/17
15/6 15/12 22/21	113/15 113/17	216/3 217/18
49/18 68/20 69/6	113/19 116/5 118/2	219/16 222/11
134/9 172/2 178/11	118/9 119/20	222/19 223/13
203/22 204/5	120/10 120/13	225/21 226/1
209/13 217/1	120/13 125/22	226/17 229/18
<b>yes</b> [239]	126/14 129/14	229/22 230/21
6/19	130/13 131/3	230/24 235/11
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17/12 18/19 19/12	142/24 144/20	6/17 7/6 7/22
20/6 21/9 21/18	145/3 145/8 145/10	74/18 163/10
21/21 21/23 21/25	145/20 147/1 147/4	<b>yet</b> [7]
22/3 22/19 22/24	148/25 149/2	63/18
23/12 26/17 26/21	151/18 155/3 156/6	102/3 127/16
28/1 30/5 30/8	157/22 158/18	146/10 186/10
32/1 35/10 36/21	158/19 158/22	186/10 200/7
39/16 39/22 40/6		<b>York</b> [2]
40/22 44/23 45/12		214/3
45/18 47/20 50/7		214/4
50/22 51/20 51/24		
52/10 52/12 52/16		

<b>Y</b>	180/14 180/19	115/11 116/17
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<b>you'll [9]</b> 31/4	<b>yours [2]</b> 147/12	154/10 168/20
102/14 111/3	190/1	171/5 179/12 187/3
170/10 206/10	<b>yourself [31]</b>	187/3 190/9 192/15
212/14 215/15	12/20 12/22 21/15	195/4 195/10 199/1
218/2 236/6	50/14 58/16 66/11	199/17 199/19
<b>you're [69]</b> 8/3	67/1 98/14 99/5	202/1 205/15
8/19 11/11 15/4	99/22 101/2 112/19	205/16 210/21
21/24 42/20 44/16	113/12 130/11	212/16 213/10
45/23 46/23 52/16	130/22 132/21	213/12 225/11
53/10 56/20 58/3	133/17 140/5	<b>zoomed [1]</b> 201/19
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145/10 145/17	1/25 247/5 247/17	
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193/1 199/9 199/20	<b>Z</b>	
199/20 201/17	<b>ZACK [2]</b> 1/16 3/23	
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220/14 220/15	26/22 26/23 27/10	
225/25 234/20	34/21 36/24 37/7	
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<b>You're misstating</b>	41/25 46/19 49/7	
<b>[1]</b> 135/2	58/14 59/1 65/3	
<b>you've [9]</b> 17/23	65/7 66/20 86/25	
30/11 59/9 75/16	88/1 100/23 100/25	
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**845**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
WEST PALM BEACH DIVISION  
CASE NO. 9:18-cv-80176-BB

IRA KLEIMAN, as the personal representative  
of the Estate of David Kleiman, and W&K Info  
Defense Research, LLC,

Plaintiffs,

November 15, 2021  
9:58 a.m.

vs.

CRAIG WRIGHT,

Defendant.

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TRANSCRIPT OF TRIAL DAY 9  
BEFORE THE HONORABLE BETH BLOOM  
UNITED STATES DISTRICT JUDGE  
And a Jury of 10

Appearances:

FOR THE PLAINTIFF: ROCHE FREEDMAN, LLP  
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**ON BEHALF OF THE PLAINTIFF:** PAGE

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DR. MATTHEW EDMAN  
DIRECT EXAMINATION BY MR. ROCHE 203

**E X H I B I T S**

<b>EX. NO.:</b>	<b>OFFERED</b>	<b>ADMITTED</b>
Plaintiffs' 137	15	15
Plaintiffs' 727	27	28
Plaintiffs' 113	42	42
Plaintiffs' 166	44	44
Plaintiffs' 181	50	50
Plaintiffs' 191	61	62
Plaintiffs' 217	63	63
Plaintiffs' 229	65	65
Plaintiffs' 216	69	69
Plaintiffs' 350	71	71
Plaintiffs' 241	74	74
Plaintiffs' 256	76	76
Plaintiffs' 257	81	81
Plaintiffs' 248	86	87
Plaintiffs' 296	94	94
Plaintiffs' 301	98	99
Plaintiffs' 781	103	104
Plaintiffs' 685	107	107
Plaintiffs' 230	119	119
Plaintiffs' 308	120	120
Plaintiffs' 310	122	123
Plaintiffs' 315	123	123
Plaintiffs' 337	124	124
Plaintiffs' 398	125	125
Plaintiffs' 059	126	126
Plaintiffs' 134	127	127
Plaintiffs' 140	128	128
Plaintiffs' 142	128	128
Plaintiffs' 209	129	129
Plaintiffs' 210	130	130
Plaintiffs' 211	131	131

**E X H I B I T S** (Continued)

<b>EX. NO.:</b>	<b>OFFERED</b>	<b>ADMITTED</b>
Plaintiffs' 213	132	132
Plaintiffs' 214	132	132
Plaintiffs' 215	133	133
Plaintiffs' 219	134	134
Plaintiffs' 223	135	135
Plaintiffs' 224	137	137
Plaintiffs' 274	138	138
Plaintiffs' 313	138	138
Plaintiffs' 326	139	140
Plaintiffs' 578	140	140
Plaintiffs' 598	140	141
Plaintiffs' 664	141	141
Plaintiffs' 695	142	142
Plaintiffs' 055	145	145
Plaintiffs' 135	146	147
Plaintiffs' 514	147	147
Plaintiffs' 538	148	148
Plaintiffs' 540	149	149
Plaintiffs' 630	150	151
Plaintiffs' 799	162	162
Plaintiffs' 546	164	164
Plaintiffs' 720	164	164
Plaintiffs' 824	166	166
Plaintiffs' 187	167	168
Plaintiffs' 853.2	169	169
Plaintiffs' 856	171	171
Plaintiffs' 853.3	174	174
Plaintiffs' 146	177	177
Plaintiffs' 869	184	184
Plaintiffs' 853.4	190	190
Plaintiffs' 823.1	211	211
Plaintiffs' 823.2	211	211
Plaintiffs' 823.3	211	211
Plaintiffs' 799.1	216	216

1 (Call to order of the Court, 9:58 a.m.)

2 THE COURT: Good morning to everyone. It's good to  
3 see everyone. Hope everyone had a nice weekend.

4 Let's go ahead and call the case and we'll get  
5 started.

6 COURTROOM DEPUTY: Calling Civil Case Number 18-80176,  
7 Ira Kleiman v. Craig Wright. Counsel, please state your  
8 appearances for the record, starting with Plaintiffs' counsel.

9 MR. FREEDMAN: Good morning, Your Honor. Devin  
10 Freedman for the Plaintiffs.

11 THE COURT: Hi, good morning.

12 MR. BRENNER: Good morning, Your Honor. Andrew  
13 Brenner for the Plaintiffs.

14 MR. ROCHE: Good morning, Your Honor. Kyle Roche for  
15 Plaintiffs.

16 MR. LAGOS: Good morning. Stephen Lagos for  
17 Plaintiffs.

18 MR. ZACK: Stephen Zack for the Plaintiff, Your Honor.

19 THE COURT: Good morning.

20 MR. BRENNER: Mr. Kleiman is here with us and Dorian  
21 Vela is here with us too.

22 THE COURT: Good morning to each of you.

23 MS. MCGOVERN: Good morning, Your Honor. Amanda  
24 McGovern for Dr. Wright.

25 MR. RIVERO: Good morning, Judge. Andres Rivero for

1 Dr. Wright.

2 MR. KASS: Good morning, Your Honor. Zalman Kass for  
3 Dr. Wright.

4 MR. MESTRE: Jorge Mestre for Dr. Wright.

5 MR. FERNANDEZ: Good morning, Your Honor. Michael  
6 Fernandez for Dr. Wright.

7 MS. MCGOVERN: Your Honor, we obviously have our  
8 client, Dr. Wright, and Mr. Amit Shah and Sarah Gonzalez are  
9 present.

10 THE COURT: All right. Good morning to everyone.  
11 Good to see everyone. I'm happy to report that our jurors are  
12 all healthy and they are all here. So is there anything that  
13 we need to address before we continue with the testimony?

14 MR. FREEDMAN: Your Honor, there's just one thing. We  
15 sent over a list of 62 documents to the Defense on Tuesday of  
16 last week asking if they would object to the admission of those  
17 documents. They have advised us this morning that they object  
18 to all of them so there will be a module with Dr. Wright where  
19 we go through a lot of documents. I just ask that you bear  
20 with us, and that they be ready to state their position so we  
21 can try to get through quickly.

22 THE COURT: All right. Certainly.

23 All right. Dr. Wright, if you want to come back on  
24 the witness chair.

25 All right. And let's go ahead and bring in the



1 jurors.

2 (Before the Jury, 9:59 a.m.)

3 THE COURT: Good morning, Ladies and Gentlemen.

4 Please be seated.

5 It is so good to see each of you healthy. I hope you  
6 had a nice holiday weekend and ready to get back to work. I  
7 appreciate your promptness, as always, and we're ready to  
8 proceed.

9 Dr. Wright, let me remind you, you were previously  
10 placed under oath and we will continue with the testimony.

11 DIRECT EXAMINATION [CONTINUED]

12 BY MR. FREEDMAN:

13 Q. Good morning, Dr. Wright.

14 A. Good morning, Mr. Freedman.

15 Q. Dr. Wright, last week when we left off, we were going  
16 through this timeline.

17 MR. FREEDMAN: Your Honor, can you see the page?

18 THE COURT: Yes.

19 BY MR. FREEDMAN:

20 Q. We were going through this timeline and I just want to  
21 recenter us to where we were.

22 So Dave Kleiman dies on April 26th, 2013. You find out  
23 that Dave Kleiman has passed away on April 30th, 2013. You  
24 respond to a message from Carter Conrad and Patrick Paige.

25 On July 25th of 2013, you file a lawsuit against W&K.

1 In September of 2013, you file for GST tax refunds from the  
2 Australian Taxation Office.

3 January 20th of 2014, you find out that the Australian  
4 Taxation Office has denied your refund request.

5 MS. MCGOVERN: Objection, Your Honor. Improper line  
6 of questioning with respect to the statement of the evidence on  
7 the record by counsel.

8 THE COURT: All right. Do you want to ask it in the  
9 form of a question? I think this is merely a recap because we  
10 were gone for the holiday. So unless this is disputed in terms  
11 of these dates --

12 MS. MCGOVERN: It is disputed, Your Honor.

13 THE COURT: All right. Mr. Freedman, why don't you  
14 ask the question and you can refer back to any exhibits that  
15 you used previously.

16 MR. FREEDMAN: Sure.

17 BY MR. FREEDMAN:

18 Q. Dr. Wright, do you recall looking at a document where we  
19 saw that the Australian Taxation Office rejected your refunds  
20 request on January 20th of 2014?

21 A. No. Actually, what I recall is you misstating everything  
22 completely. You see, what you failed to actually do, over here  
23 you don't have GST or VAT. So let me try and explain that a  
24 little bit to you.

25 The way that this works is you have input and output

1 credits. You cannot claim from America. There's no credits  
2 for America. It's only transactions within Australia. So  
3 where he's showing you that, it's only half of the  
4 transactions. So he's saying \$10.5 million refund. The  
5 reality here is the transfer into those companies was actually  
6 \$11 million debt.

7 So the full side of this was not a refund. What actually  
8 happened was the tax office accepted the \$11 million debt.  
9 Then they said: "Oh, we're going to have to validate the  
10 10.5 million refund."

11 So, rather than having a half-million-dollar debt for my  
12 companies, the tax office said: "We want the \$11 million  
13 within three weeks, but we'll take as long as we want to give  
14 you back the other 10.5 of that."

15 What that means is effectively it wasn't a dispute over a  
16 refund. It was a dispute over how much I had to pay them. The  
17 actual bit that he's misinforming you on is that that wasn't  
18 even rejected. That first one, we actually got paid. We had  
19 to fight to have the balanced transaction, because if you're  
20 rejecting half of it, and not the other half, that's rather  
21 unfair. Like it's: "We'll take the evidence that you owe us  
22 money, but then not give you the money back."

23 So the complete thing of what he's saying is the timeline  
24 is a complete fabrication. There's no honesty in that  
25 timeline. It completely ignores the fact that I contacted his

1 fiancée. It completely ignores the continuous filings every  
2 three months of GST. It completely ignores the constant fight  
3 we had with the ATO. It wasn't because he's saying my first  
4 GST fight started in June 2009. Not September 2013, June 2009.  
5 So this timeline is just a lie.

6 MR. FREEDMAN: Ms. Vela, can you please put up P637,  
7 and let's go to Page 3. And it is in evidence.

8 Can we please publish to the jury.

9 Ms. Vela, can you zoom in on Paragraph 6 for me from  
10 the Australian Tax Office.

11 BY MR. FREEDMAN:

12 Q. Dr. Wright: "On January 20th, 2014, we issued a letter to  
13 each of the related entities advising that we would continue to  
14 hold the refunds."

15 January 20th, 2014, and then --

16 MS. MCGOVERN: Objection, Your Honor. Is that -- I  
17 didn't understand the question. I didn't hear the question.

18 THE COURT: Well, do you want to have an  
19 acknowledgment of the exhibit that's in evidence? I mean  
20 that's what's being referred to.

21 MS. MCGOVERN: Yeah, I didn't hear the question, Your  
22 Honor.

23 MR. FREEDMAN: Ms. Vela, can you please put up P175.

24 Let's go to Page 1.

25 THE WITNESS: Sorry, was I --

1 BY MR. FREEDMAN:

2 Q. We then looked at -- there's no question pending,  
3 Dr. Wright.

4 We then looked at an email from John Chesher, your CFO, to  
5 Andrew Sommer, your lawyer, and yourself, where he's writing to  
6 the Australian Taxation Office, Des McMaster. And he says:  
7 "Hi, Des. Thank you for making the time to get together on  
8 Monday. I have been out of the loop since on other business,  
9 hence my delay in getting back to you. The following are the  
10 salient points in terms of time drawn from our meeting:  
11 Strasan and Pholus, more information regarding W&K.

12 "You have since asked for director details and consents for  
13 W&K. Attached. You have all the agreements between W&K and  
14 Wright and copies of judgments."

15 February 6th, 2014, the Australian Taxation Office starts  
16 asking questions.

17 MS. MCGOVERN: Your Honor, I object to the extent --

18 THE COURT: What's the question, Mr. Freedman?

19 BY MR. FREEDMAN:

20 Q. Does the Australian Taxation Office start looking into W&K  
21 on February 6th of 2014?

22 A. No. The tax office never looked into W&K. They looked  
23 into the trusts they held and the companies. And as I said,  
24 they started that in June and July of 2009. So, I'm sorry.  
25 The timeline is a complete fabrication. It has no reality.

1 Q. Dr. Wright, W&K -- sorry. Please complete your answer.

2 A. I was going to say the document you put up before for the  
3 GAAR panel, that was the start of the investigation. I went to  
4 the GAAR panel, which is the equivalent of a court in this  
5 country, and what he's not putting up is the fact that I was  
6 exonerated. I'm sorry to tell you that the GAAR panel happened  
7 and the GAAR panel did not uphold the tax office statements.

8 So it's one thing to say: "Oh, there's a charge here."  
9 Like I'm here now. It's another to find whether I'm basically  
10 being charged with something or not. I wasn't. My companies  
11 weren't.

12 MR. FREEDMAN: Ms. Vela, can you please put up P117,  
13 Page 1.

14 Can you zoom into the email from Dr. Wright dated  
15 February 11th, 2014.

16 BY MR. FREEDMAN:

17 Q. Dr. Wright, do you recall that we then looked at this  
18 exhibit, which occurred five days after the email we just saw  
19 from your accountant and the ATO talking about W&K, and you  
20 say: "Hello, Louis. Your son, Dave and I are two of three key  
21 people behind Bitcoin"?

22 A. I see the email, yes.

23 Q. Okay. And then do you recall that I wrote on the timeline:  
24 February 11th, 2014, CSW tells Louis Kleiman" -- and I made two  
25 red circles around the two days showing that there was just

1 five days between the Australian Taxation Office reaching out  
2 about W&K and you reaching out to Louis Kleiman?

3 A. Again, no, they weren't reaching out about W&K. There's no  
4 American taxation in Australia. Again, there's no GST on  
5 American transactions. Again, you're ignoring the entire sort  
6 of back history of this with the fight that I had that  
7 culminated in a court case that ended in February of 2013. So  
8 I started a court case following the June/July 2009 GST issues  
9 with the tax office.

10 That actually went into where they tried to bankrupt me in  
11 2011. It went to court in 2011. For two years, I was spending  
12 maybe three million dollars a year on legal and accounting fees  
13 until in December 2012 the tax office finally admitted they'd  
14 lost. And in February of 2013, I won the case. Unfortunately,  
15 the costs of the thing didn't even recover a tenth of my costs,  
16 but that's how court cases work.

17 MR. FREEDMAN: Ms. Vela, can you please put on the  
18 screen P120, which is also in evidence, and can we go to Page  
19 6, please.

20 BY MR. FREEDMAN:

21 Q. Dr. Wright, do you then recall that I showed you this email  
22 from yourself to now Ira Kleiman, dated February 14th, 2014,  
23 where you tell him that Dave Kleiman was involved with that  
24 PDF, the Bitcoin Whitepaper, he had the Vistomail account,  
25 Satoshi Nakamoto Vistomail account, and that he should start

1 looking for private keys and wallet.dat files? Do you recall  
2 that?

3 A. I certainly do. And as I said to you, Dave was crucial  
4 because when he first looked at and edited the whitepaper that  
5 I started writing by hand following doing the code, it was  
6 horrendously long. I mean, it is much better now. It's only a  
7 short easy-to-read paper.

8 When I first wrote it, I, like many academics, put in too  
9 much -- I'm sorry, I'm Australian, but the only word I can  
10 think of is wankery. It's a good way of describing what  
11 academics get like. It was nearly 60 pages long. There was a  
12 whole lot of complete BS that no one needed to know.

13 And Dave told me to get rid of it. I did. So yes, if it  
14 had been a 60-page paper full of academic wankery, no one would  
15 read it. So he was critical in that.

16 Q. Dr. Wright, do you recall me asking you whether it was true  
17 that the only reason you reached out to the Kleiman estate was  
18 because you needed them because you now needed to answer  
19 questions about W&K which was owned by the Kleimans?

20 A. No. Actually my ex-wife owned a chunk of it. One of my  
21 companies owned a chunk of it. There were no questions about  
22 W&K the way he's making out. The transaction that was being  
23 investigated was not W&K. It was the GST on Bitcoin.

24 As I stated, the tax office wanted to put GST on Bitcoin  
25 transactions which would mean every single time you moved a



1 Bitcoin, even on your own, like yourself, you would pay ten  
2 percent. So imagine if you moved your money from one bank  
3 account that you own to another bank account that you own and  
4 the government takes ten percent of your money.

5 And I fought them right until 2017. And it's my private  
6 ruling that people don't realize is a private ruling on the  
7 thing. And the equivalent of the Supreme Court over here ruled  
8 in favor of me. They said Bitcoin should not have GST. That  
9 wasn't until 2017, though.

10 So I had to fight them from 2009 right up until 2017 to get  
11 the government to finally admit that money should not be taxed  
12 as goods and services.

13 MR. FREEDMAN: Ms. Vela, can you put P137 on the  
14 screen for just counsel and the witness.

15 BY MR. FREEDMAN:

16 Q. Dr. Wright, do you recognize this as an Australian Taxation  
17 Office government document sent to your accountant and in the  
18 very second sentence it's talking about yourself?

19 MR. FREEDMAN: And, Ms. Vela, can you bring us to the  
20 first page?

21 BY MR. FREEDMAN:

22 Q. Do you see W&K referenced?

23 A. Yes. I see the reference and to myself --

24 Q. There's no foundation laid. The document's not in  
25 evidence, Dr. Wright, so don't talk about it until the Court

1 admits it into evidence.

2 MR. FREEDMAN: Your Honor, at this point, we would  
3 offer P137 into evidence.

4 MS. MCGOVERN: Your Honor, this is an ATO document.  
5 We object on foundation, hearsay, relevance.

6 THE COURT: Based on the Court's previous ruling, the  
7 objection's noted. It's overruled. It will be admitted into  
8 evidence. P137.

9 (Plaintiffs' Exhibit 137 received into evidence.)

10 BY MR. FREEDMAN:

11 Q. Dr. Wright, a moment ago, you told me the ATO never asked  
12 questions about W&K. Do you recall that?

13 A. No. That's actually not what I said. I said they weren't  
14 auditing W&K. They query everything. They queried my  
15 accountant and they queried my lawyer.

16 We had a challenge -- for instance, like Andrew Sommer's  
17 firm, Clayton Utz, had put in a \$300,000 bill and we claimed  
18 back the GST and tried to claim back as a business expense.  
19 The tax office challenged that, and said: "How do we know that  
20 these legal services have actually been done," which is  
21 actually a stupid thing because it doesn't actually mean that  
22 you even need to have legal services done. If I've spent the  
23 money in a business, I get to claim it.

24 So we then had to fight that. And we won, but the cost of  
25 fighting it cost us another \$200,000 in legal fees. So this is

1 what we were doing. So no, this was not an audit of W&K as  
2 you're trying to imply.

3 MR. FREEDMAN: Ms. Vela, can you go to Page 2.

4 BY MR. FREEDMAN:

5 Q. So, Dr. Wright, I show you a list of questions from the  
6 Australian Taxation Office all about W&K.

7 Wait, please. Let me finish.

8 MR. FREEDMAN: Ms. Vela, can you go to the second  
9 page -- third page, rather.

10 BY MR. FREEDMAN:

11 Q. More questions about W&K.

12 MR. FREEDMAN: Can you go to the next page, Ms. Vela.

13 BY MR. FREEDMAN:

14 Q. More questions about W&K.

15 MR. FREEDMAN: Can you go to the next page, Ms. Vela.

16 BY MR. FREEDMAN:

17 Q. Even more questions about W&K.

18 And when you see that document, Dr. Wright, now the  
19 Australian Taxation Office did begin asking you questions about  
20 W&K, did they not?

21 A. No, they did not. As I said, they questioned me every  
22 single quarter. They questioned me right back from 2009.  
23 Every transaction that I ever did, even my lawyers and  
24 accountants, external ones, they queried. They queried the  
25 bill that we had from KPMG, who were one of our external

1 auditors. The KPMG team reviewed all of the internal audit  
2 stuff and signed off on it. We have partner-level things  
3 there.

4 And no, this was not correct. The W&K transactions, any of  
5 them were every single time they came up. So what he's missing  
6 is that this is cherry-picking documents. Every single  
7 transaction I made. They even fought the coffee machine. We  
8 had an external coffee company come in and do coffee for our  
9 staff, cost about \$150 a month. The tax office queried it, and  
10 said whether that should be a business expense. And I had  
11 to -- just responding cost us several thousand dollars and we  
12 can't not respond over a \$150 invoice.

13 Q. Dr. Wright, you know that a confidence scheme is to gain  
14 somebody's trust so you can exploit them later? Are you  
15 familiar with that term?

16 MS. MCGOVERN: Objection, Your Honor.

17 THE COURT: Sustained.

18 MR. FREEDMAN: Ms. Vela, can you put P124 on the  
19 screen.

20 And let's share that with the jury -- it's in  
21 evidence -- please.

22 Can you zoom in to the bottom of the email, please,  
23 Ms. Vela, from Ira Kleiman.

24 BY MR. FREEDMAN:

25 Q. February 18th, 2014, Ira Kleiman writes to you four days

1 after you first made contact with him and tell him about his  
2 brother: "After everything you have shared with me, I feel  
3 like I can completely trust you."

4 Do you see that, Dr. Wright?

5 A. Yes. That sounds exactly what a confidence man would do.

6 Q. Then, Dr. Wright, you knew the Australian Taxation Office  
7 was going to reach out to Ira Kleiman about W&K, didn't you?

8 A. No. Actually, I had no idea. Ira Kleiman wasn't actually  
9 part of it. The reason they reached out was that he was using  
10 Dave's email. That's what I didn't realize at the time. So  
11 Ira was pretending to be Dave and W&K. So no, I did not  
12 realize that Ira Kleiman would be pretending to be his brother  
13 who was dead.

14 Q. And then, Dr. Wright, on March 11th, 2014, the Australian  
15 Taxation Office does reach out. Wait, no. Strike that.

16 You receive the letter we -- on March 11th, 2014, you  
17 received the letter we looked at from the Australian Taxation  
18 Office asking you five pages' worth of questions from W&K,  
19 correct?

20 A. No. Actually we received different ones for every company.  
21 I think there were about 300 pages worth of questions all up.  
22 So if you want to pick a particular five pages and go: "Oh,  
23 look, this is what happened," that's wrong. There were  
24 300-plus pages.

25 MR. FREEDMAN: Ms. Vela, can you put P137 on the

1 screen.

2 Can we scroll through the pages of this document.  
3 Please tell me when you get to the final page, Page 7.

4 BY MR. FREEDMAN:

5 Q. Bottom right-hand corner, Dr. Wright, Page 7 of 7. There  
6 are not 300 questions attached to this email, are there?

7 A. No, not this particular one, but you'll notice that each of  
8 these things references different areas and there were other  
9 documents. For instance, the Tourist Refund Scheme  
10 application, that was a little exercise where what we did was I  
11 purchased Bitcoin into one of my companies and moved it  
12 overseas so we could claim both the plus and the minus on GST  
13 to show how ridiculous it was to actually do this sort of  
14 thing.

15 It didn't actually make any money; it cost money. Because  
16 what I did was I took \$34 million worth of Bitcoin out of  
17 Australia. I, first of all, sold it from my company to myself  
18 and then moved it into Singapore. And then I claimed -- I,  
19 first of all, put the cost of the sale, which was 10 percent of  
20 the 34 million, and then I claimed back the other. And I did  
21 this -- and this is also the public document that we're talking  
22 about is -- references me. And that went to court, too, and  
23 eventually I won.

24 And that was part of how the government ended up realizing  
25 how stupid the idea of taxing Bitcoin would be in that way, and

1 that you should tax gains, not GST.

2 So this is a very short summary document that references  
3 all the other documents.

4 MR. FREEDMAN: Ms. Vela, can you highlight the date,  
5 March 11th, 2014, for me in the top right corner of Page 1.

6 BY MR. FREEDMAN:

7 Q. "Dear, Mr. Chesher: As part of our audit process, we would  
8 like to request some further information, documentation in  
9 relation to Dr. Craig Wright. In this regard, could you please  
10 answer the questions set out in the attachment to this letter  
11 and return them by 25th of March, 2014."

12 MR. FREEDMAN: Ms. Vela, can you go to Page 1 -- 2,  
13 sorry. Thank you.

14 BY MR. FREEDMAN:

15 Q. "W&K," question 1, 2, 3, "W&K"? Do you see that?

16 A. Yes. Like I said, the same with everything. Every  
17 transaction, everything we did, they questioned.

18 Q. Question 4, "W&K," do you see that?

19 A. Yes, I do. Like I said, again, every single transaction we  
20 did, they questioned.

21 Q. Question 6, "W&K," do you see that?

22 A. I certainly do. And like on the last page, Page 7, where  
23 they did the Tourist Refund Scheme, all of this was a zero  
24 transaction. What you're neglecting to tell people is that it  
25 had an input and an output transaction.

1 He's trying to say that I received \$10 million into my  
2 company. I didn't. I had an \$11 million cost on the other  
3 side. If you take half of the thing, and you have a rather  
4 biased view of it, it looks very different. It looks like I'm  
5 trying to receive \$10 million. But when I have to pay the 11  
6 first and then beg the government to get 10 million back, it's  
7 a very different transaction.

8 Q. Actually, the Australian Taxation Office found that you  
9 didn't spend \$11 million, and it was a tax scheme; isn't that  
10 correct?

11 A. No. Actually, the \$11 million was the GST. So again,  
12 you're misinterpreting and trying to paint this the wrong way.  
13 So I would -- what they did find was that we spent the money  
14 and that I owed them the \$11 million, but the other side of the  
15 transaction, where I get the 10 million back, that was the bad  
16 one. So they tried to have their cake and eat it too. They  
17 wanted to take the \$11 million but not give back the 10 and a  
18 half.

19 Q. Question 7, "Director of W&K," last words on the line. Do  
20 you see that, Dr. Wright?

21 A. I do.

22 MR. FREEDMAN: Ms. Vela, can you go to the next page  
23 for us, please.

24 BY MR. FREEDMAN:

25 Q. Question 8, "W&K Info Defense" referenced again. Do you



1 see that?

2 A. I certainly do.

3 Q. Question 9, W&K Info Defense referenced again. Do you see  
4 that, Dr. Wright?

5 A. Yes, because this is part of what they were asking in this  
6 particular quarter. But as I said, every quarter, every  
7 transaction.

8 Q. This is what they were asking about this particular  
9 quarter, correct?

10 MS. MCGOVERN: Objection, Your Honor. Asked and  
11 answered.

12 BY MR. FREEDMAN:

13 Q. Correct?

14 A. No. That's not what I said. I said every transaction.

15 THE COURT: Sustained.

16 MS. MCGOVERN: Objection, Your Honor, asked and  
17 answered.

18 THE COURT: The objection is sustained.

19 MR. FREEDMAN: Ms. Vela, can you bring us back to the  
20 first page so we can check the date.

21 BY MR. FREEDMAN:

22 Q. March 11th, 2014, right, Dr. Wright?

23 A. Yes. Like I said, every quarter, every single quarter we  
24 got audited.

25 MR. FREEDMAN: Ms. Vela, can you leave that on the

1 left-hand side of the screen, please, for me. And can you  
2 bring up P138 which is already in evidence.

3 BY MR. FREEDMAN:

4 Q. Dr. Wright, on the right-hand side, we're looking at an  
5 email from yourself to Ira Kleiman dated March 11th, 2014.  
6 Same day. Do you see that?

7 A. Yes. I was trying to make sure that he got his shares.  
8 That was a difficult process because he didn't want to pay tax.

9 Q. I just asked if you saw the date, Dr. Wright. Do you see  
10 the date?

11 A. I do, and my statement stands.

12 MR. FREEDMAN: Ms. Vela, can you highlight the bottom  
13 part of the email, please. And can you call it out for us so  
14 it's easy to read.

15 BY MR. FREEDMAN:

16 Q. "You and your father own 10,642,000 shares. That's 49.5  
17 percent of the founder shares."

18 Do you see your email to Ira Kleiman promising 49.5 percent  
19 of a company?

20 A. No. It's 49.5 percent of the founder shares. That is not  
21 49 percent of the company. So, no. You're misstating that  
22 again.

23 And I also see how he had the right to appoint a director  
24 if he chose that role. The director role came with a salary of  
25 \$150,000 a year. You had to basically do the equivalent of

1 maybe 30 days' worth of work a year to get 150,000, and he  
2 turned it down because of tax.

3 And I see the right to sell when the company is floated and  
4 he complains that I didn't offer him enough money when I  
5 offered him 12 million. Except, well, he had the right to sell  
6 them to anyone else. If anyone else would have paid him more  
7 than 12 million, he could have sold them. No one did.

8 MR. FREEDMAN: Ms. Vela, can you highlight the date on  
9 Dr. Wright's email promising Ira Kleiman 49.5 percent of the  
10 founder shares. Can you just pull it out of the document and  
11 highlight it, and can you pull out the date of the Australian  
12 Taxation Office's request for more information about W&K?

13 Can you line them up next to each other.

14 BY MR. FREEDMAN:

15 Q. Dr. Wright, you promised Ira Kleiman 49.5 percent of the  
16 founder shares in Coin-Exch. the exact same day the Australian  
17 Taxation Office sent you five pages of questions about W&K,  
18 didn't you?

19 A. Well, yes. And you want to know why? It's very simple.  
20 Because every single weekday I got communications from the tax  
21 office. Every weekday. So you can always say: "You did this  
22 on this day." Every single day.

23 So there is no single day in that entire year, including  
24 some public holidays, that I did not receive correspondence  
25 from the tax office.

1 So looks a bit different when you basically -- it's like  
2 saying you received correspondence on a weekday. Yes, I did.

3 MR. FREEDMAN: Ms. Vela, can you put down the callouts  
4 for us so we can get back to the two documents.

5 And -- one second for me.

6 (Pause in proceedings.)

7 MR. FREEDMAN: On the right document, Ms. Vela, can  
8 you bring me to the last page, please. One page back. Okay.

9 BY MR. FREEDMAN:

10 Q. So, Dr. Wright, on the same day, you attach -- you also  
11 send financial -- a balance sheet about Coin-Exch. where --

12 MR. FREEDMAN: Ms. Vela, can you please zoom in to the  
13 intellectual property component of the assets.

14 BY MR. FREEDMAN:

15 Q. -- where you say that \$38.4 million worth of the value in  
16 Coin-Exch. is in its R&D and intellectual property. Do you see  
17 that?

18 A. Yes. I actually see that's what we spent. So if you look  
19 at the research and development pool that's up -- the '13, '14  
20 part was 12.9 million. And the 15 pool is the expenditure we  
21 paid for staff from '14 and '15 after Dave died. So the amount  
22 that you're looking at for when Dave was alive was 12.9 million  
23 Australian and the amount that we then invested for the  
24 oncoming year, which is valid in accruals, was another 25  
25 million. So we spent another 25 million on top of what was

1 there when I first founded it.

2 Q. That's what the document you sent to Ira Kleiman says,  
3 right?

4 A. No. I had my secretary send this. So I arranged for it to  
5 be sent, if that's what you mean.

6 Q. And it shows that the total value of Coin-Exch. is over \$60  
7 million?

8 A. No. This is the amount spent. Okay. So you can't value a  
9 company on how much you spend. You can only value it on what  
10 someone else will pay.

11 Q. Do you see the word: "Fixed assets" on the top?

12 A. Yes. Yes, I do.

13 Q. Do you know how to read a balance sheet?

14 A. Sorry?

15 Q. Do you know how to read a balance sheet?

16 A. Yes. Actually, I do.

17 Q. Fixed assets is not expenditure; it's assets.

18 A. No. You're actually looking at capitalization. So see, I  
19 can understand that you may not get this. I was -- I worked in  
20 an audit firm.

21 Now, fixed assets doesn't mean the value at market. It  
22 means how much you've expended. So anyone in the jury who's  
23 maybe run a business, what you will know is if you buy  
24 something, you pay for services, you capitalize goods. And  
25 that capitalization doesn't mean that they're valued at that.

1 For instance, if you buy a car, five years later if you  
2 haven't fully depreciated, the car might not be worth what the  
3 book value is. So ...

4 MR. FREEDMAN: Thank you, Ms. Vela.

5 BY MR. FREEDMAN:

6 Q. Dr. Wright, out of the \$60 million shown on this balance  
7 sheet, Ira Kleiman got nothing; isn't that correct?

8 A. He was offered \$12 million. He chose not to take that.

9 Q. Dr. Wright, as you expected, the Australian Taxation Office  
10 reaches out to Ira Kleiman shortly after they reach out to you;  
11 isn't that correct?

12 A. No. As I said, I didn't expect them to reach out to him.  
13 What they did was they reached out to Dave Kleiman and Ira  
14 pretended to be David Kleiman.

15 MR. FREEDMAN: Ms. Vela, can you put P727 on the  
16 screen for just counsel and the witness.

17 And can we go to Page 4, please.

18 BY MR. FREEDMAN:

19 Q. And, Dr. Wright, do you recognize this as an email from Ira  
20 Kleiman to yourself talking about W&K? You see that on Page 4?

21 A. I do, sir.

22 MR. FREEDMAN: Your Honor, Plaintiffs offer P727 into  
23 evidence.

24 MS. MCGOVERN: No objection.

25 THE COURT: All right. Admitted into evidence.